

4825. Also, petition of Frank B. Moore and others, opposing the lottery bill; to the Committee on Ways and Means.

4826. Also, petition of John Wright and others, requesting the passage of House bill 9596; to the Committee on Interstate and Foreign Commerce.

4827. Also, petition of the City of Dearborn (Mich.) Council, requesting removal of certain restrictions as set forth in section 204-A of the National Recovery Administration; to the Committee on Ways and Means.

SENATE

TUESDAY, MAY 29, 1934

(Legislative day of Monday, May 28, 1934)

The Senate met at 11 o'clock a.m., on the expiration of the recess.

THE JOURNAL

On motion of Mr. ROBINSON of Arkansas, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Monday, May 28, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. ROBINSON of Arkansas. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Couzens	Johnson	Reynolds
Ashurst	Cutting	Kean	Robinson, Ark.
Austin	Davis	Keyes	Robinson, Ind.
Bachman	Dickinson	King	Russell
Bankhead	Dietrich	La Follette	Schall
Barkley	Dill	Lewis	Sheppard
Black	Duffy	Logan	Shipstead
Bone	Erickson	Loneragan	Smith
Borah	Fess	Long	Steiwer
Brown	Fletcher	McCarran	Stephens
Bulkley	Frazier	McGill	Thomas, Okla.
Bulow	George	McKellar	Thomas, Utah
Byrd	Glass	McNary	Thompson
Byrnes	Goldsbrough	Metcalf	Townsend
Capper	Gore	Murphy	Tydings
Caraway	Hale	Neely	Vandenberg
Carey	Harrison	Norris	Van Nuys
Clark	Hastings	O'Mahoney	Wagner
Connally	Hatch	Overton	Walcott
Coolidge	Hatfield	Patterson	Walsh
Copeland	Hayden	Pittman	White
Costigan	Hebert	Pope	

Mr. LEWIS. I announce that the Senator from California [Mr. McAdool] is still detained from the Senate on account of illness, and that the Senator from North Carolina [Mr. BAILEY], the Senator from Florida [Mr. TRAMMELL], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. HEBERT. I desire to announce that the Senator from New Jersey [Mr. BARBOUR], the Senator from Vermont [Mr. GIBSON], and the Senator from Pennsylvania [Mr. REED] are necessarily absent from the Senate.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

INVITATION TO COAST ARTILLERY SCHOOL BATTLE PRACTICE

Mr. SHEPPARD. Mr. President, I should like to have read at the desk a brief letter from Maj. Gen. W. F. Hase, Chief of Coast Artillery.

The VICE PRESIDENT. Without objection, the clerk will read as requested.

The legislative clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF COAST ARTILLERY,
Washington, May 18, 1934.

HON. MORRIS SHEPPARD,
Chairman Military Affairs Committee,
United States Senate, Washington, D.C.

DEAR SENATOR SHEPPARD: Believing that some members of your committee and perhaps other Members of the Senate might be interested in seeing a Coast Artillery target practice, I would like to invite them to go to Fort Story, at the entrance of Chesapeake Bay, on June 8 to see the student officers at the Coast Artillery School conduct their battle practice with 8-inch railroad guns and 155 G.P.F. guns. This firing is scheduled for the morning of

Friday, June 8. The party would have to leave on the 6:30 p.m. Washington-Norfolk boat Thursday, June 7, arriving at Norfolk at 8 a.m., Friday, June 8. The round-trip fare is \$5, and passengers can take their automobiles as baggage without any extra charge. The trip from Norfolk to Fort Story can be made in 1 hour. The party can return from Norfolk that night and be back in Washington at 7 a.m. Saturday, June 9.

I believe such a trip would be interesting to your members, as they would have the opportunity to see our installations at Fort Story and to know what we try to teach our students at the Coast Artillery School.

If any of the Members might desire to remain over Sunday in "tidewater Virginia", they could spend Saturday and Sunday at Fort Monroe, Va., at Yorktown, Jamestown, and Williamsburg, returning from Fort Monroe on Sunday night's boat or driving back to Washington at their convenience.

I would be glad to know if any Members contemplate going, in order to inform the Commandant of the Coast Artillery School, who will arrange to meet the party at Norfolk and conduct them to Fort Story.

Sincerely yours,

W. F. HASE,

Major General, Chief of Coast Artillery.

Mr. SHEPPARD. Mr. President, I trust that as many Senators as possible will visit Fort Story on the occasion of the target practice, and, if any can make the trip, I hope they will let me know in advance.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a telegram in the nature of a memorial from William S. Hauser, legislative director, etc., Brooklyn, N.Y., stating, in part, that "The postal workers of America, composed of postal employees of all classifications, urge rejection of S. 3523 in its present form, and adoption instead of bill providing for abolition of postal furloughs and guaranteeing continued employment of every postal employee", which was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a resolution adopted by the Sovereign Grand Lodge of F. and A. M. of Puerto Rico, in its annual communication held in Mayaguez, P.R., favoring the passage of the so-called "Lanzetta bill", excluding the island of Puerto Rico from coastwise shipping laws, which was referred to the Committee on Territories and Insular Affairs.

LA FAYETTE MEMORIAL PARK, TALLAHASSEE, FLA.

Mr. FLETCHER presented a statement embodying a resolution adopted by the City Commission of Tallahassee, Fla., relative to the dedication of La Fayette Memorial Park in that city, which was ordered to lie on the table and to be printed in the RECORD, as follows:

DEDICATION OF LA FAYETTE MEMORIAL PARK

Marquis de La Fayette, a French general and statesman, and one of George Washington's most faithful officers during the American Revolution, was born September 6, 1757, in France. His parents died when he was a youth, leaving him large estates. He entered the French army and became a general in active service. At the beginning of the American Revolution, General La Fayette espoused the cause of American independence, and, fitting out a ship, sailed from Spain, landing at Georgetown, S.C., April 24, 1777, among his companions being Baron de Kalb. The arrival of La Fayette in America gave new hope to the supporters of the revolutionary cause. On July 31, 1777, Congress bestowed upon him the rank of major general, and he was soon after attached to the staff of Gen. George Washington. In the battle of Brandywine General La Fayette was wounded while rallying the American troops. He was also with Washington at Valley Forge. He received the thanks of Congress for his brilliant military conduct at Monmouth. In 1799, on the outbreak of war between England and France, General La Fayette returned to his native land and while there secured substantial aid for the Americans. He soon returned to this country and reentered the military service. He was a member of the court martial that condemned Major Andre to death. He commanded the American forces against the British under Benedict Arnold and rendered distinguished services as a sagacious and intrepid officer. In 1781 he again returned to France, but revisited America again in 1784, when he was received with great enthusiasm. The liberal views he imbibed in America enabled him to render valiant service in the assembly and in the armies of France.

In August 1824 La Fayette returned to the United States on the invitation of the President at the request of Congress and was received in various parts of the country with warmest expressions of delight and enthusiasm. Congress voted him a grant of \$200,000 and a township of land, which extended 6 miles north and 6 miles east of the city limits of Tallahassee. The patent therefor was issued July 4, 1825. General La Fayette did not see

his public-land grant, but utilized it through his agents, and he sent many settlers and their families to live in Florida.

The Lafayette Township is 1 north, 1 east from the base line and Tallahassee meridian, which is marked in the southeastern part of the city of Tallahassee for permanent use in determining Florida land lines. The entire area is occupied in prosperous Leon County homes, a part of the land having been incorporated within the Tallahassee city limits.

General La Fayette appreciated the grant and felt a pride in the township of land adjoining the capital of the then Territory of Florida; and he anticipated a visit to his valuable Florida possession, but on his return to France his time and talents were fully occupied until his death in Paris, May 20, 1834. Tallahassee, the capital of the State of Florida, duly observed May 20. The city authorities adopted the resolutions and took action as follows:

Whereas the distinguished and generous services of General La Fayette to our country and the township of land granted by Congress to General La Fayette in recognition of such services is in and near Tallahassee, the capital city of the State of Florida, and has added prominence and prestige to our county and city: Therefore, in recognition of such historic and elevating circumstances connected with this city, be it

Resolved by the City Commission of the City of Tallahassee, That the tract of land consisting of approximately 12 acres, lying east of Gadsden Street in the west half of the southwest quarter of section 30, township 1 north of range 1 east, property of the city of Tallahassee, which said land is situated in the western part of Lafayette Township grant and within the corporate area of the city of Tallahassee, be, and the same is hereby, perpetually dedicated for park purposes;

Resolved, further, That on and after the 20th day of May, A.D. 1934, the one hundredth anniversary of the death of General La Fayette, said park area shall be, and is hereby, officially designated and named La Fayette Memorial Park.

Passed the city commission on the 8th day of May A.D. 1934.

JNO. L. FAIR,
Mayor-Commissioner.

Attest:

B. H. BRIDGES,
City Auditor and Clerk.

REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (S. 3659) authorizing the Oregon-Washington Bridge Board of Trustees to construct, maintain, and operate a toll bridge across the Columbia River at Astoria, Clatsop County, Oreg., reported it without amendment and submitted a report (No. 1197) thereon.

Mr. LOGAN, from the Committee on the Judiciary, to which was referred the bill (H.R. 9002) to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the act approved June 16, 1933, and for other purposes, reported it with amendments and submitted a report (No. 1200) thereon.

He also, from the same committee, to which was referred the bill (S. 821) conferring jurisdiction on the United States District Court of the District of Oregon to hear, determine, and render judgment upon the suit in equity of Rakha Singh Gherwal against the United States, reported it without amendment and submitted a report (No. 1206) thereon.

Mr. KING, from the Committee on the Judiciary, to which was referred the bill (H.R. 8912) to amend section 35 of the Criminal Code of the United States, reported it with amendments and submitted a report (No. 1202) thereon.

Mr. THOMAS of Utah, from the Committee on Mines and Mining, to which was referred the bill (S. 3495) to regulate commerce in petroleum, and for other purposes, reported it with an amendment and submitted a report (No. 1201) thereon.

Mr. CLARK, from the Committee on Territories and Insular Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H.R. 9371. An act to authorize the incorporated town of Douglas City, Alaska, to undertake certain municipal public works, including construction, reconstruction, enlargement, extension and improvements of its water-supply system; and construction, reconstruction, enlargement, extension, and improvements to sewers, and for such purposes to issue bonds in any sum not exceeding \$40,000 (Rept. No. 1203); and

H.R. 9402. An act to authorize the incorporated town of Fairbanks, Alaska, to undertake certain municipal public works, including construction, reconstruction, and extension of sidewalks; construction, reconstruction, and extension of sewers, and construction of a combined city-hall and fire-

department building, and for such purposes to issue bonds in any sum not exceeding \$50,000 (Rept. No. 1204).

Mr. FESS, from the Committee on the Library, to which was referred the bill (S. 3178) authorizing the George Washington Bicentennial Commission to print and distribute additional sets of the writings of George Washington, reported it with amendments and submitted a report (No. 1205) thereon.

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S.Res. 203) increasing the limit of expenditures of the Special Committee to Investigate Bankruptcy and Receivership Proceedings, reported it with an amendment.

He also, from the same committee, to which was referred the resolution (S.Res. 228) authorizing an investigation of the relationship existing between certain contractors and their employees in the District of Columbia, reported it with amendments.

Mr. BACHMAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S.Res. 243) appointing a special committee to investigate certain charges against textbook concerns in connection with the obtaining of contracts for the sale of school books, reported it with an amendment.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK:

A bill (S. 3698) to amend the act of April 13, 1926, relating to grants of land to States and Territories which provide agricultural and mechanic arts colleges; to the Committee on Public Lands and Surveys.

By Mr. COPELAND:

A bill (S. 3699) for the relief of Joseph Schoenbach; to the Committee on Claims.

CHANGE OF REFERENCE

On motion of Mr. SHEPPARD, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 3691) granting Stanley Harrison the privilege of filing application for benefits under the Emergency Officers' Retirement Act, and it was referred to the Committee on Naval Affairs.

AMENDMENT TO PUBLIC GRAZING LANDS BILL

Mr. ASHURST submitted an amendment intended to be proposed by him to the bill (H.R. 6462) to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes, which was ordered to lie on the table and to be printed.

RECIPROCAL TARIFF AGREEMENTS—AMENDMENTS

Mr. HEBERT submitted an amendment intended to be proposed by him to the bill (H.R. 8687) to amend the Tariff Act of 1930, which was ordered to lie on the table and to be printed.

Mr. VANDENBERG submitted amendments intended to be proposed by him to House bill 8687, which were ordered to lie on the table and to be printed.

THE N.R.A. AND FREEDOM OF THE PRESS

Mr. CAPPER. Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD as part of my remarks the report, dealing with freedom of the press, adopted at the recent annual meeting of the American Society of Editors in Washington.

Permit me to say in this connection that the report deserves the earnest attention of every thoughtful and patriotic citizen. All over the world we have seen personal liberty curtailed, in some countries practically abolished, in the last few years.

The first step in nearly every instance has been to muzzle the press. When freedom of the press goes, freedom of speech, freedom of assemblage, freedom of action such as is

guaranteed by our Constitution and the Bill of Rights, inevitably follow.

It is not only entirely proper and fitting that editors and publishers should insist upon explicitly preserving the freedom of the press in any code or similar instrument drawn up; it is, and was at the time it was drawn, the duty of those editors. They should not have been criticized for protecting the freedom of press and speech.

At the same time, as a Senator and as a publisher, I wish to stress that the freedom of the press is a responsibility as well as a privilege, so far as editors and publishers are concerned. As was well stated at the recent sessions of the American Society of Newspaper Editors by Mr. Fred Fuller Shedd, editor of the Philadelphia Evening Bulletin:

This freedom of the press is not a privilege of newspaper publication, but rather it is a fundamental right of the people to voice their thought and desires as freely through the printed page as through the spoken word.

In other words, Mr. President, freedom of the press makes every newspaper and every editor a trustee for the preservation of that freedom of thought and expression, not for the newspapers really but for the people of the United States. I have always held that a newspaper really belongs to its community; the publisher is only the official vehicle to convey, to pass around, to disseminate, to discuss, to formulate, and allow the readers to formulate the hopes, the aspirations, the views, of the people of the community the newspaper serves.

It is the duty of the newspaper not merely to offer itself as an organ of expression for the voice of the people. It actually should encourage, promote, assist in every way possible the expression of the thought of the people. A newspaper should be the public forum where the voice of the people can be expressed freely and vigorously. The news presented today is on a higher plane than ever before. The newspapers are doing a real job of reporting the news of these critical times impartially and honestly. They are fighting vigorously to uphold the freedom of the press, to see that both sides of every argument are presented, so that the people can obtain full information and make up their minds on the merits of the question.

It is not my intention to enter into a prolonged discussion of the obvious duty of not only newspaper publishers but of the Congress and of the people to preserve at all times freedom of speech and press and to resist the slightest encroachment upon that freedom, whether intentional or inadvertent.

The report I send to the desk outlines our position in that respect completely and accurately, and I ask that it be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

TEXT OF REPORT ON FREEDOM OF THE PRESS ADOPTED BY NEWSPAPER EDITORS

WASHINGTON, April 20.—The following report dealing with freedom of the press was adopted today by the American Society of Newspaper Editors:

In November 1933 the directors of the American Society of Newspaper Editors, meeting in Chicago, adopted the following resolution:

"Whereas the National Recovery Act and its enforcement present possibilities of direct or indirect restriction of the freedom of the press; and

"Whereas it is beyond all question that the freedom of the press was guaranteed in the first amendment to the Constitution, not to confer a special and peculiar privilege upon the press, but in order to protect the fundamental rights and essential liberties of a free people; and

"Whereas there is an effort to create an opinion that special immunities and privileges are being sought for newspaper publishing as a business under the guise of defending the liberty of the press, making a specific statement of the position of this society desirable: Now, therefore, be it

"Resolved, That the board of directors of the American Society of Newspaper Editors considers it a matter of the utmost importance to the American people, as well as to the press, that the newspaper code now being formulated under the provisions of the National Recovery Act shall contain a specific statement on behalf of the Government, as one of the contracting parties, that the acceptance of a newspaper code is not intended to and shall

not be construed as waiving, abrogating, or modifying the rights of free speech and the freedom of the press as these are guaranteed under the Constitutions of the United States and the several States."

REMOTE THREAT CONDEMNED

Before that time and thereafter members of the American Society of Newspaper Editors lifted their voices in constant and proper insistence that the constitutional prerogatives of a free press in the United States not only must undergo no modification but must not be subjected even to remote threat.

From August 1933 until the end of February 1934 a controversy, which at times assumed the proportions of battle, was waged between certain officers of the National Recovery Administration, notably Gen. Hugh Johnson, its chief, and a group of newspaper editors and publishers who carried in their minds and hearts unmistakable convictions as to the rights of newspapers under the Constitution and as to the eternal values inherent in a free press.

In the opinion of your committee the resolution of the directors of the society, and their accompanying resolutions, made an unmistakable contribution to the victory which was finally won by the adoption of a clause in the newspaper code restating and reinforcing the privileges of a free press as guaranteed by the first amendment to the Constitution of the United States.

In the opinion of your committee the resolution hereinbefore mentioned was a sound and worthy one and deserves the standardization and permanence which your adoption of this general report will bring to it.

It seemed to the committee to lie within its duty to review, for the purposes of clarity and for your information, the various steps and the progressive achievements which led up to the adoption and final acceptance on the part of the national administration of those guarantees upon which thoughtful newspapermen have been so earnestly insistent.

CHRONOLOGY OF NEWSPAPER CODE

The committee presents, then, herewith a chronological development of the code for daily newspapers, with special reference to the clause relating to the freedom of the press, article VII of the code.

On August 7, 1933, Elisha Hanson, counsel, presented to the executive committee of the American Newspaper Publishers' Association, of which Howard Davis is chairman, a modification of the President's recovery agreement, or Blue Eagle code, for particular application to the newspaper industry. Certain paragraphs of his suggestions were adopted as representing the association's stand on the freedom of the press and incorporated in the code to be submitted.

On August 8 Mr. Hanson and the committee formally presented a modified code to Gen. Hugh Johnson, Recovery Administrator, in Washington. This code contains a paragraph, presented to Mr. Hanson and adopted by the committee, and is the paragraph with which this preliminary narrative is concerned.

TEXT OF ARTICLE VII

As article VII of the newspaper code finally adopted, it reads:

"Those submitting this code recognize that pursuant to section 10 of the act the President may from time to time cancel or modify any order approving this code, but in submitting or subscribing to this code the publishers do not thereby consent to any modification thereof, except as each may thereto subsequently agree, nor do they thereby waive any constitutional rights or consent to the imposition of any requirements that might restrict or interfere with the constitutional guaranty of the freedom of the press."

From September 21 to 23 a newspaper-code hearing was held in Washington under the direction of Prof. Lindsay Rogers, of Columbia University, as Deputy Administrator.

During the latter part of September and throughout October numerous informal and confidential conferences were held in Washington between the A.N.P.A. committee, headed by Howard Davis, and General Johnson concerning the newspaper code, and especially concerning the freedom-of-the-press section, to which section General Johnson vigorously and sometimes violently objected, and which, he declared, would not be included in the code with his approval.

LONG DEADLOCK RECALLED

The committee was equally insistent that the newspaper publishers would agree to no code which did not specifically reserve for the press its constitutional rights. To fail to assert those rights or to waive them, the committee contended, might cause them to be suspended or eventually to be forever lost. No agreement or understanding was reached at these conferences.

About the middle of December 1933, after the matter had lain in dormant state for many weeks, all the previous efforts to bring about agreement on the freedom-of-the-press provision having come to naught, the conferences were resumed. After new and continued negotiations with the A.N.P.A. committee, devoted to various sections and especially to the sections relating to child labor and the freedom of the press, an agreement was finally reached on the language of these sections. The fact that General Johnson was willing to agree to any sort of language guaranteeing constitutional rights was, of course, a distinct victory for the newspaper publishers and for editors. Much of the delay prior to the December conferences, as well as afterward, was due to numerous difficulties encountered in connection with the graphic

arts code, which General Johnson insisted on considering simultaneously with the newspaper code, inasmuch as weekly and semiweekly newspapers were covered in the graphic arts code.

ON PRESIDENT'S DESK 5 WEEKS

On December 21 the revised newspaper code, containing article VII, hereinbefore mentioned, relating to the freedom of the press, was filed at the White House by General Johnson. The code as transmitted lay on the President's desk for 5 weeks before final action was taken.

On February 17, 1934, the President approved and signed the code and simultaneously made public his extraordinary Executive order, in the last paragraph of which he referred to the freedom-of-the-press clause in language which many editors and publishers have chosen to regard as gratuitous and exceedingly drastic. In the opinion of your committee, it is quite probable that the President did not write this Executive order, but merely signed a draft prepared and presented to him by General Johnson. It is customary for the Recovery Administrator to send to the President with each code the draft of an Executive order approving the recommendations and findings of the Administrator. The language of that part of the Executive order to which your committee draws your attention is as follows:

"Insofar as article VII is not required by the act, it is pure surplusage. While it has no meaning it is permitted to stand merely because it has been requested and because it could have no such legal effect as would bar its inclusion. Of course, a man does not consent to what he does not consent to. But if the President should find it necessary to modify this code, the circumstance that the modification was not consented to would not affect whatever obligations the nonconsenter would have under the National Industrial Recovery Act.

"Of course, also, nobody waives any constitutional rights by assenting to a code. The recitation of the freedom of the press clause in the code has no more place here than would the recitation of the whole Constitution or of the Ten Commandments. The freedom guaranteed by the Constitution is freedom of expression, and that will be scrupulously respected; but it is not freedom to work children or do business in a fire trap or violate the laws against obscenity, libel, and lewdness."

EXECUTIVE ORDER SIGNED

Although there is probability, as hereinbefore indicated by your committee, that the language is that of the Recovery Administrator, the President adopted it and signed the Executive order, making himself, of course, responsible for the unmistakable criticism.

On February 22 the full code committee of the A.N.P.A., together with the five regional code committees, met in New York to consider what should be done about the modification of the code made by the President's Executive order. Mr. Hanson presented a complete and illuminating statement concerning the effect of the Executive order on the code itself. He held that the effect, if assented to by the publishers, would be such as to deny the validity of article VII, which relates to the freedom of the press.

HOLDS ARTICLE NULLIFIED

In his concluding statement Mr. Hanson said as follows:

"The code committee, representing the newspaper publishers, has insisted upon the acceptance of article VII without qualification. If the code is assented to, with the qualification and modification of the President, in my opinion article VII has no force and no meaning whatsoever, and the President is correct in his statement that it has no legal effect."

On the same night, February 22, a committee representing the joint code conference went to Washington to acquaint General Johnson with the decision "that until the full force and meaning of article VII is conceded without qualification, this committee will not recommend to the membership of their various associations adherence to and compliance with the code."

In somewhat compliant and conciliatory mood General Johnson received this committee. The declaration agreed upon in New York was delivered. The Recovery Administrator sensed the seriousness of the publishers and with little delay agreed to the preparation of a supplementary order modifying the previous objectionable Executive order which, in the opinion of counsel, as stated earlier in this report, had the effect of nullifying article VII, relating to the freedom of the press. General Johnson even went so far as to ask the committee to submit suggestions for a modified order.

On February 24 the newspaper code committee submitted its suggestions to General Johnson for modification of the original Executive order which he sent to the President the same day. The President signed the order. He thus assured the acceptance of and compliance with the newspaper code by the code authorities and the newspaper publishers.

REVISED ORDER CITED

It is needless to reproduce here the new and modified Executive order in entirety, but your committee notes with satisfaction that the Executive order ends with this language:

"My comment with respect to article VII of the code of fair practice for the daily newspaper publishing business applies also to section 17 (b) of article I of the code of fair competition for the graphic arts industries, but said article VII of the code of fair competition for the daily newspaper publishing business and said section 17 of article I of the code of fair competition of the graphic arts industries are nevertheless, respectively, approved as submitted, without modification, condition, or qualification."

On March 12 the newspaper code became effective.

FULL AND FINAL VICTORY

The signing and promulgation of this new Executive order, accompanying the code, constituted a full and final victory for newspaper publishers and editors in their insistent and uncompromising demand for a definite code provision properly asserting and setting forth their constitutional rights.

This will forever rank in the history of American journalism as a memorable battle and a glorious victory for the continuance in this Nation of the freedom of the press.

To pass now to a further consideration of the relationship that exists between the press and the people of the United States, the committee brings to your attention certain conclusions. In the words of Mr. Elisha Hanson, counsel for the A.N.P.A., "the first amendment to the Constitution provides that Congress shall pass no law abridging the freedom of speech or of a free press. The specific terms of this amendment place the newspapers of this country in a position distinct as well as distinguishable from all other businesses.

"It must be assumed that a newspaper cannot be licensed if the possible revocation of the license might compel discontinuance of publication.

"Likewise it must be assumed that a newspaper cannot be compelled to join any particular economic group if the effect of such membership would be the suppression of editorial freedom or of the newspaper itself.

"The constitutional guaranty was not written for the benefit of newspapers but for the benefit of the people as a whole. However, the obligation of protecting the people's rights to a free press falls on the newspapers, and more specifically on each individual newspaper."

RESPONSIBILITY ACCEPTED

Your committee accepts this statement of the position and responsibility of the American press, and your adoption of this report will put the American Society of Newspaper Editors on record as adhering to it and permitting neither departure nor the threat of departure from these accepted prerogatives.

The first amendment to the Constitution not only forbids legislation abridging freedom of the press but the Supreme Court has held that constitutional rights are individual rights, which may be waived by an individual but for himself alone. This being the law and the fact, your committee holds that the matter of a newspaper's compliance with or noncompliance with a code promulgated under the National Industrial Recovery Act must be considered from the point of view of the individual newspaper and not from the viewpoint of any association or organization of publishers or editors.

It is, therefore, the conclusion of your committee that no matter what differences of opinion may arise from interpretation of the newspaper code in reference to article VII, touching the freedom of the press (although we believe that article safeguards our prerogatives), the ultimate right to freedom of editorial expression always resides and must always reside with the directing heads of each newspaper.

GUARDS FREEDOM OF EXPRESSION

In short, the committee goes on record and calls upon this society to go on record as incontrovertibly against any possible or conceivable organized effort to modify in the slightest degree the traditional guaranties of the complete freedom of expression in American newspapers.

This committee notes with satisfaction that the daily newspaper code authority, upon which devolves the duty of passing upon all those relationships which exist or may arise between newspapers and the N.R.A., contains among its members, including the president of the American Society of Newspaper Editors, men who have been consistently courageous and outspoken in the matter of the constitutional rights of newspapers. We look with favor and with full confidence upon the personnel and activities of the daily newspaper code authority.

This committee goes on record as opposed to the large powers that have been proposed for a Federal communications commission in Washington. Despite all safeguards hereinbefore mentioned, the likelihood that such a Federal communications commission might try to inflict a measure of censorship on the press, along with its domination of the telephone and radio business, is not too remote.

KNOX STATEMENT QUOTED

In this connection the committee wishes to quote from a recent statement of Col. Frank Knox, publisher of the Chicago Daily News, who says:

"The bureaucratic Federal control of all means of communication can readily be converted into an efficient machine for censorship overnight. That the desire exists to exercise such a censorship can no longer be doubted. It has shown itself in a dozen different directions.

"It was only through the insistence of the newspapers that a complete freedom of the press was maintained in the formulation of a newspaper code. If this new danger is to be averted, it will only be because the newspapers militantly oppose these latest plans of the power-hungry bureaucrats in Washington for complete domination under a centralized Federal bureaucracy.

"I have no fear that the proposed censorship can be established because I do not believe that an aroused public opinion will permit resort to precisely the methods employed by dictators in Europe to establish and maintain their supremacy. I utterly refuse to believe that fascism of this type is possible in America."

VALUE OF FREE PRESS ABROAD

This report passes now to the important consideration of the value of a free press abroad and the immeasurable value of a free flow of uncensored news in relation to international affairs and especially with reference to the danger of and preparations for war.

The committee includes here a statement from Carl W. Ackerman, dean of the School of Journalism of Columbia University, which it believes needs to be brought to the attention of the members of this society. It is devoted to the subject of the controlled press in certain foreign countries and the relation of that controlled press to an attack upon the peace of the world.

Dean Ackerman says:

"In domestic and foreign affairs the people of this country have learned how to make use of the free flow of daily news in forming their own opinions. This thought must have been in President Madison's mind more than a century ago when he said that knowledge is power.

"The press today is the power plant of democracy. By distributing information and by explaining governmental policies it has provided a common national and local forum of thought and debate. It has contributed to the formation of public opinion and in turn revealed that opinion to the Government and to the people. Today press reports of international events and public discussion provide that public knowledge which gives public opinion its power and authority.

"That we have in the United States today something akin to a parliament of the press is evident in the recent observation of Paul Grae, one of the editors of Politikin, of Copenhagen, who has been studying the United States under the new deal.

"American newspapers", he said, are 'the voice of the people.' A trite phrase, he admitted, when applied without comparison to the press of the world, but vastly significant in international affairs today when related to the voice of dictators, censors, militarists, armament manufacturers, and selfish private interests in most countries.

"In Russia, Germany, and Italy the press today is controlled by the governments; in Paris, with possibly one or two exceptions, by manufacturers of war materials; in Japan, Spain, and practically all Latin American countries by military or political censors; in England largely by the aristocracy; in Central Europe and China, with few exceptions, by governments, censors, or foreign subsidies.

"The map of the world today is black with prohibitions upon freedom of speech, freedom of the press, freedom of assembly, or petition, or of religion.

STRESSES CURBS ON LIBERTY

"Liberty in Latin or Anglo-Saxon form is limited everywhere excepting the United States, England, Australia, Canada, South Africa, Switzerland, Holland, Denmark, Norway, Sweden, and New Zealand. In these countries the press is either 'the voice of the people' or, as in England, it is open to the opinion of the people.

"I present this perspective of world journalism because I believe there is a direct relationship between the freedom of the press and peace between nations. The time has come for the American press to recommend and support a new American policy in foreign affairs.

"That there is a relationship between freedom and peace is obvious. The chief nations threatening world peace today are Germany, Japan, France, Italy, and Russia. In each of these countries the press is controlled by Government officials or militarists who have the power to declare war or force a declaration of war.

"The chief nations which want peace today are the British Commonwealth, the five small but free nations of Europe, and the United States. In these countries the press is free from governmental control or censorship. These are facts. What do they signify and what can we do if, as a free people, we want to keep out of another war or if we want world peace to be a reality instead of an ideal beyond realization?

LISTS FOUR-POINT SERVICE

"American journalism during the first 11 months of President Roosevelt's administration has served the people in four important respects.

"1. It has established as an American political principle that in time of a national crisis no Government official has either the right or the power to censor, control, or license the press;

"2. It has faithfully, accurately, and understandingly reported governmental action and policies. It has cooperated with President Roosevelt and his administration in restoring confidence and promoting recovery, and with equal fidelity it has reported and interpreted counter criticism and opinion;

"3. It has reported the truth about developments in Germany, as well as pro-Hitler and anti-Nazi propaganda. It has told the truth about the militarists of Japan and the Liberals as well. It has sensed and revealed the new liberalism in Russia which emerged when it was recognized by our Government; and

"4. In local affairs, conspicuously, but by no means exclusively, in Chicago and New York, it has been a decisive influence in cleansing municipal governments and in exposing and preventing graft in Federal relief agencies.

EFFECTS ON PEACE STRESSED

"This perspective of American journalism is important because it establishes the influence of a free press in public affairs and indicates something of the possibilities of a free press in world affairs.

"With this picture of American journalism in mind, what can and should we do, if anything, to try to prevent another World War and keep out of a war in the Orient or in Europe?

"There are several possible approaches to an answer, but the direct one is here at home. There are today innumerable peace societies, foreign-policy groups, League of Nations societies, institutes, forums, and agencies, schools, colleges, and universities, national and international councils studying, talking, writing letters, distributing pamphlets, and passing resolutions about peace.

"I speak not in ridicule, but with concern. What will it profit all of these agencies and all of our citizens who are participating or cooperating in their work if only the people of the United States, England, Canada, Denmark, etc., want peace and the people of other countries are powerless to prevent war? What are the scrapbooks of clippings from the press of free countries worth in a military market?

FACTOR IN WORLD AFFAIRS

"The perspective of peace advocates must be readjusted to new realism. They must consider the press not as a printing establishment to turn out clippings for their publicity files, but as a factor itself in international affairs quite apart from what it reports.

"The most important force in international affairs today is the foreign service of the American press associations and newspapers under the leadership and direction of men who are interested in and concerned with the free flow of information, rather than with any form of propaganda by, for, and of governments or political systems of peace societies.

"American newspaper correspondents abroad know from experience and as a result of daily contact with realities in every world capital that war follows the control of news as inevitably as darkness follows light.

"If there is a direct relationship between the freedom of information and peace, are we justified as newspaper men and as citizens in accepting foreign censorships or control of news destined for the United States? Is the rightful interpretation of the freedom of the press to be applicable only to our local and national problems? Must we conform to the unwritten law of European secret diplomacy that the press is a menace until it is fettered? Are we justified in permitting military-mad men in Germany, France, Italy, Japan, or Russia to set the stage for another war, to prepare for another war, and, when they are ready, to declare another war by the simple process of controlling information and manufacturing opinion while they build armaments and accumulate ammunition?

CHALLENGES DICTATOR CURBS

"Is it right for the free press of the United States to have its international news standards influenced or determined by dictators, militarists, and diplomats who attend conferences to block peace negotiations?

"Has not the time arrived for the press of the United States to demand freedom of the press in world affairs, at least, as far as every international conference or engagement of this country is concerned? Can we not insist that there must be a free flow of information to the American press?

"As an international policy there can be no greater safeguard of peace than the freedom of news throughout the world. Therefore, should not the press of America recommend that our own Government refuse to participate in any international conference without complete freedom of information for our own press associations and newspapers?

"If the United States Government were to take this stand, every other government in the world would be challenged by a new peace force. With Japan and Russia openly preparing for war, with Germany, Italy, and France secretly maneuvering for military and political advantages in Europe, and with other governments confronted with the necessity of reconstructing the League of Nations or acting alone, the people of the United States at least have the right to the full, free flow of information wherever our nationals or our governments are involved as concerned.

CALLS PREVENTION POSSIBLE

"International affairs are seldom wholly black until war is inevitable or a fact. Today it is still possible to prevent another world war. It may be possible to prevent local wars in the Orient and in Europe. Until both are impossible we, as a free people, have the right and the duty to launch peace ideas before we begin to launch airplanes and battleships on a war scale.

"I respectfully submit these thoughts to President Roosevelt as the basis for a policy of international realism anchored to the freedom of the press in the United States."

The committee herewith approves the statement and recommendations of Dean Ackerman, which are a part of this report, and requests the endorsement of the American Society of Newspaper Editors.

In conclusion, may this committee on the press and public relations remind the members of the society that there are nearly 2,000 daily newspapers in the United States with circulations ranging from 1,000 copies to more than 1,000,000 copies daily. We believe that we should in this report stress the fact that in the year since we have met together American newspapers have given extraordinary support to the national administration. Largely free from partisan spirit, they have exercised their right to criticize details but have been sympathetic toward the general purposes of the Government.

ATTITUDE OF PATRIOTISM

There seems to have been almost unanimous agreement that the pressing needs of the country were paramount, that an un-

precedented situation demanded unprecedented remedies, and that Government measures should be appraised in relation to the urgent necessities rather than upon normal considerations of their specific merits. This attitude has not been one of subservience but of patriotism.

It is our opinion that the American press has rendered inestimable service to a distressed and bewildered people in the presentation and analysis of the revolutionary measures that have been proposed and adopted. The public has had to depend upon the press for information and interpretation, and this necessity has laid upon editors responsibilities and labors such as they have never borne before. The difficulties of interpretation in matters so novel and involving principles and circumstances so complicated, have been surmounted only by excessive study and thought.

Never has there been a time when information and intelligent comment were so necessary to the people. In the belief of this committee, the press has done more than the experts to clarify public questions.

Respectfully submitted.

GROVE PATTERSON,
Chairman.
CASPER S. YOST.
WILLIAM ALLEN WHITE.

AMERICANISM OF '76 AND 1934—ADDRESS BY SENATOR SCHALL

Mr. FESS. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by the Senator from Minnesota [Mr. SCHALL] before the Shrine Club of Philadelphia, May 23, 1934, on the subject of Americanism of '76 and 1934.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

AMERICANISM OF '76 AND 1934

In coming over to you from Washington this noon, I am impressed with the truth that the issues now confronting the Senate—not perhaps in surface form, but in ultimate purpose and result—are the fundamental issues on which your fraternal order is founded. The bills before us for legislative consideration may take a thousand forms and deal with the state of the Union from a myriad angles. But the fundamental purpose of all legislative inquiry and of all legislative action is or, if honest and patriotic, is presumed to be founded on the creed of the Shriner as related to government: Truth, justice, mercy.

Truth declares that man, endowed by the Creator with inalienable rights, may govern himself without a master; that he has no divine rights to govern others nor others any divine right to govern him. Falsehood in this fateful moment in our history declares from the very highest place that the Government must be supreme in interfering with or controlling the smallest details of our daily affairs. This is truth—God created man; man created government. The thing created can never be greater than the creator.

Justice holds a balance. It inclines neither to the right hand nor to the left. Injustice gives special privileges, weakens one to strengthen the position of another, and robs our people of their splendid spirit of initiative and daring, and the will to strive upward and onward forever. Injustice would make spineless creatures of an heroic people whose deeds have been unparalleled in all recorded history.

Mercy is not strained; it falls as the dew from heaven, noiselessly and refreshingly. Mercy makes us all king. Ruthlessness in government has slain millions in Europe. From such false sense of repressive authority we fled by millions in the past century.

May these who would poison our children's minds with doctrines of ruthless animalism; may these who would warp our youth and rob them of all reverence for our past; may these be condemned by aroused public opinion that will again lay our foundations for truth, justice, and mercy.

Never before in American history, since the Declaration of Independence was cradled here in Philadelphia in the Continental Congress of July 4, 1776, has the battle for the preservation of American liberty been so trying, and the cause so threatened, as it is in Washington at the present hour.

In all human relations, national or individual, the issue should be truth. Never before in the history of this Republic has there sat in Washington a dominant majority in control of the Federal Government, which, following the blind leadership of a so-called "brain trust", denies the Declaration of '76—denies the call of the founders, "We hold these truths to be self-evident", on which we won American liberty.

The issue in all lawmaking is justice. The preamble of our Constitution begins: "We, the people of the United States, in order to form a more perfect union, establish justice" . . . but today, under the so-called "new deal", our Constitution stands suspended under the pretext of an "emergency" that is being daily augmented and expanded. The President in his message to Congress on January 3, 1934, demands that his emergency power shall be made permanent. That means that suspension of the Constitution is to be permanent.

Under the constitution of ancient Rome a dictatorship could last only 6 months. The name of a permanent dictator was emperor. Today, after the temporary dictatorship has run 9 months—or 90 days beyond the limit in ancient Rome—the demand comes that the emergency dictatorship shall be made

permanent. In other words, the Constitution which begins, "We, the people of the United States, in order to form a more perfect union, establish justice"—shall be indefinitely suspended. Union and justice, government by consent of the governed, shall be indefinitely suspended at the will of the Executive. Instead of a government of law we have government by a ruler.

Should the issue be mercy? You may recall the statement of Chief Justice John Marshall in the famous United States Bank case, "that the power to tax is the power to destroy." In our school days we read the history of Magna Charta—how the farmer barons, tired of the tyranny of King John in seizing their property and enslaving them for taxes levied at his will, led him out to an island at Runnymede on the Thames and laid before him the historic document which transferred the taxing power to the Commons. That was the foundation of British liberty in 1215, and the foundation of American liberty in 1789 when the Constitution, article I, placed the revenue power, including tariffs and direct taxes, in the hands of Congress. Today we have before us in the United States Senate the demand that the revenue power of Congress shall be delegated to the White House. Mercy to the taxpayer, mercy to the tariff-protected industry, mercy to labor from competition with underpaid labor abroad shall be meted out, not by the constitutional method provided in article I pursuant to act of Congress, but by Executive edict as in the days of John I. In 1934 we have, if such bill passes, a Roosevelt, the second, with the revenue power of John I.

Congress and the country are faced today with the same issue of mercy from the taxing power that our fathers faced in 1776. You well recall the Boston Tea Party of 1774 against the levy of import duties by George III without the consent of the colonial assemblies. We still celebrate the wars of the American Revolution against the violation of Magna Charta—afterward embodied in our Constitution—the right of free men to representation, the consent of the governed, as a basis of merciful taxation. We thought that issue was settled at Yorktown when Cornwallis surrendered his sword. Today it reappears, not at Bunker Hill or Yorktown, not at Boston Harbor nor yet at Runnymede, but in the Capitol of the Nation. And the demand to reopen the issue and take from Congress its foremost power for existence comes from the White House itself—to bestow upon Roosevelt, the second, the unconstitutional powers of John I and George III.

Truth, justice, mercy—the whole foundation of the Mason—is threatened by the new deal of a so-called "super brain trust."

To Philadelphia this challenge to American institutions comes with peculiar force. The Declaration of Independence was drafted and signed in 1776, here in Philadelphia. The first protective tariff of American history was enacted in Pennsylvania in 1785—2 years before the Constitution. It was for years called the "Pennsylvania idea", before Henry Clay called the tariff the "American system."

That you know full well the import of the national issue now at stake is shown by the outcome of your recent State primary election. Philadelphia did not forget 1776, 1785, and 1787—as shown by the vote you gave for Senator DAVID A. REED. Yours was the Boston Tea Party of 1934.

My home is the State of Minnesota. Possibly there may be in your midst some veteran still living who remembers 1861. If so he may remember that the first regiment to respond to the call of Abraham Lincoln in that crisis of the Union was the First Minnesota.

This first regiment of Civil War volunteers was made up largely of Minnesota schoolboys, and their teachers represented many of the officers. On their way to Washington they passed through Harrisburg and Philadelphia. And as they passed through this great Keystone State they were hailed by the boys of Pennsylvania: "We'll be with you, Minnesota; we shall join you on the way."

Then came the great outpouring of Pennsylvania volunteers. They asked for no Blue Eagle—the Stars and Stripes were good enough for them. They followed no academic "brain trust." Their gospel was the old foursquare gospel of 1776: "We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights governments are instituted among men deriving their just powers from the consent of the governed."

The history of that First Minnesota Regiment of 1861 soon became a memorable part of the history of Pennsylvania. Some here today may be familiar with that history. How, on the second day at Gettysburg, the turning point of the war for the Union, the First Minnesota was sacrificed to stay the advance of Pickett's Confederate brigade of 15,000.

The Confederate charge was directed against the battery on the ridge where the First Minnesota stood guard. General Hancock needed 30 minutes to bring up the reserve. The rebel 15,000 must be stopped and not a minute lost.

Galloping to the front, Hancock shouted, "What regiment is this?"

"First Minnesota" was the answer.

Shouted Hancock, "First Minnesota, double quick, charge!"

And down the hill went the 600 in the face of the rebel 15,000. Some fell on the way. Some barricaded themselves behind rocks in the dry creek at the foot of the ridge and made their stand.

They won their victory. The little line held just long enough until the Union reserves swept on the field, and the Battle of Gettysburg turned the tide of war for the cause of the Union.

But the First Minnesota which charged down the hill at Gettysburg that day with banners flying and shouts of victory did not

come back as they went down. Of that 600 only 57 survived. The blood of over 500 is still incorporated in the soil of Pennsylvania.

But they won their victory. They won it for the flag of the Union. They won it for the truths of '76. They won it for the justice pledged by their Constitution. They won it for mercy to 4,000,000 slaves. They won it for every principle on which the Shriner stands and for every principle on which the American patriot stands. And what those schoolboys did for country in 1861 we, their descendants and compatriots, can do again, and are sworn under our oaths to the Constitution to do again when the Republic calls upon us, as it now calls in 1934.

In the war for the Union of 70 years ago it was the Gettysburg of 1863 that led the way to the Appomattox of 1865. The year 1934 may be the Gettysburg of a victory for American liberty in 1936. In faith, hope, and charity—in truth, justice, and mercy—let us pray that American history will repeat itself, that the Constitution which guarantees truth, justice, and mercy to every individual may not be ruthlessly swept aside and in its place reared some hideous, grinning, regimented, lock-stepping, soul-crushing monster whose grasping animalism will crush out all initiative, all liberty, all rights of the individual to grow a soul, all chance of the individual to advance and germinate an understanding that he thereby might some day be fit to stand in the presence of God, upon whom our faith and the foundation of this very organization rests, and upon whose guidance in truth, justice, and mercy our great Republic relies, as even our dollar bears witness, "In God we trust."

A NEW DEAL PROGRAM OF PUBLIC OWNERSHIP

Mr. FRAZIER. Mr. President, I ask unanimous consent to have published in the RECORD speeches made at a luncheon under the auspices of the People's Lobby, Inc., at the Cosmos Club, Washington, D.C., May 19, 1934, on a New Deal Program of Public Ownership.

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

Dr. John H. Gray, former president of the American Economic Association, who was chairman, said:

"That no nation can endure or last long with as great fluctuations in prices as we have had in the last 20 years is now plain to all. Nor can a nation prosper or enter safely into long-time contracts without a high degree of stability in prices. So long as business is carried on for profit, prices will depend on the amount of money, or purchasing power, offered for goods and services at any one time. Our money today—that is, purchasing power offered for goods and services—consists more than 90 percent of bank checks. Checks are drawn against deposits. But deposits arise chiefly from bank loans. Bank loans, at present, are granted by about 15,000 separate banks, most of them with but little knowledge of general currency needs, and each of them willing to increase bank loans without regard to general needs for currency, if the banker can make a profit thereby. Furthermore, as the chance of profit increases, he grants loans on nonliquid securities, and ties up his resources indefinitely. His only chance of getting money enough to pull through depends on the probability that other bankers will not do what he has done, and will thus forego the chances of extra profit that he has seized. Recent history shows that such a supposition has no basis in fact; thus a great rivalry grows up in granting loans, and prices go up and up until the bubble bursts, prices collapse, and general bankruptcy follows with its unemployment, reduction of production, bread lines, and general disorganization and depression such as our condition today. All our fundamental economic theories are exploded.

"The \$6,000,000,000 inflation provided for in the Banking Act of 1933 was provided in order that the banks might loan more to business men to start the industrial machine, employ more men, and raise prices. But the fact is that loans decreased instead of having increased and the money piled up in the banks. It is said that even the hundreds of millions of dollars paid to farmers to restrict crops in order to raise farmers' prices, go primarily into the banks and remain there. The minute those checks come, the bankers threaten to foreclose mortgages and call other overdue debts. Therefore, these payments instead of putting money into circulation, raising prices, and giving employment, are simply credited on the farmer's debts and are added to the already plethoric stores of cash in the banks. These payments, like the \$6,000,000,000 inflation fund, do not put money into circulation but add to the pickled money already in the banks.

"Without any change in the law or in the Federal Reserve bank regulations, without endangering our gold supply, we have surplus reserve enough—that is, surplus above what our laws require, and what safe banking requires, to quadruple the amount of our circulating medium in a day, if the bankers who hold that \$1,700,000,000 surplus reserve could see their way to make a profit by making loans to the business world. This surplus reserve would justify additional loans to about \$17,000,000,000. This is approximately three times the money in circulation today.

"I predict that we shall never have recovery, never have prosperity or happiness until commercial banking is entirely separated from investment banking, and all commercial banking is owned and operated by the Federal Government. When so owned and operated, it must be operated primarily for public welfare, and not for profits. All long-time or investment institutions must either be owned and operated by the Federal Government,

or must be so regulated that all such loans shall be made from savings, and not from bank credit, as was done in the last decade, to the break-down of our whole banking system.

"The right to regulate and fix the value of money given to the Federal Government by the Constitution necessarily gives the right to control bank credit—the basis of most of our purchasing power—or money. All history shows that such credit cannot be controlled so long as it is left in the hands of thousands of separate privately owned and managed competing banks, for the sole aim of each bank is the making of private profit.

"The central bank of no nation except ours is actuated to the same degree as our banks, by the profit motive. When private profit is the main motive of any bank, that bank cannot be trusted to determine or to influence in a large way the total amount of bank loans in a country, for that is to determine the prices of commodities and service, and stable prices mean prosperity, and highly fluctuating prices mean speculation, bankruptcies, unemployment, depression, hunger, and disaster.

"Let us continue to borrow money, if need be, to feed the people, but let us realize once for all that there is no salvation or permanent welfare possible till all commercial bank credit is managed directly by the Federal Government. This is the key to recovery and to all other reforms. Without this, all other efforts to save our civilization are in vain."

Senator BRONSON W. CUTTING, of New Mexico, discussing Nationalizing Banking and Credit, said:

"For a year or more we have been engaged in currency manipulation. We have juggled with the currency, and we shall no doubt continue to do so. The results have been small. The depression is still with us, and it is doubtful if we can cope with it by any such methods.

"The reason is that only a small part of our monetary system consists of currency. Much the greater part is made out of bank credit. Until the Government takes control of this most vital part of our financial system, it is not going to break loose from the burden of debt which is weighing down the Government as well as the private citizen of the Nation.

"Most people think of banking as a terribly complicated subject, a subject which they cannot even attempt to understand. It is complicated in its details, but it has been part of the bankers' conspiracy to confuse the public by a discussion of the details so that they may lose sight of the main outlines. Those outlines are very simple, and they vitally concern the life and happiness of every human being in the civilized world.

"Since 95 percent of our money is made up of bank deposits, it is important to understand just what these bank deposits are. Of course, part of them, the smaller part, comes from the bank's customers, who deposit cash or check for safekeeping with the bank. But by far the greater part of these deposits are not deposits at all, in the real sense of the word. They come from the right given to a bank to loan 10 times, or 20 times, as the case may be, the amount of its reserves.

"If you go into a bank and borrow a thousand dollars, what happens? Of course the bank may give you the thousand dollars over the counter. But that seldom happens. Practically always you are satisfied by having the bank place the thousand dollars to your account. In that case the bank writes your name at the top of a column in its book as having made a deposit of a thousand dollars. The thousand dollars is not transferred from any other account. It is made out of thin air. To that extent it increases the total amount of money in existence. To that extent it raises the price level and changes the value of the money in the country. Yet the Constitution of the United States provides that 'the Congress shall have power to coin money and regulate the value thereof.' In practice the Congress regulates the value of only a small fraction of the total amount of money in the country. The rest is regulated by the bankers.

"We are so used to this kind of transaction that we seldom stop even to question it. We allow the bankers to inflate our money each time they make a loan and to deflate it each time the loan is called.

"And, of course, there is another very important feature connected with this loan of a thousand dollars. When you get it, you generally have to deposit with the bank collateral security of double the value of the loan. If you have a \$2,000 house, you will probably be obliged to mortgage it for the privilege of obtaining \$1,000, and, mark you, of paying interest when the loan falls due. Yet the only piece of real value which has entered into the transaction is the value which you yourself have put into it, your house and lot, or the Liberty bonds, as the case may be. You are paying tribute to a private institution for the right to use your own credit. Your credit depends on your own property, which really means your ability to deliver goods or service as required. The bank has contributed nothing of this sort. Yet in order to use your own credit you are forced to pay interest to a nonproductive agency. The bank has actually lent you your own credit and made you pay for getting it.

"In the main the interest of the banker is opposed to that of the general community. He is lavish with credit in good times, when it is not needed, and he withholds it in bad times, when it is a necessity. Someone has said that the banks lend you an umbrella in fine weather and take it away from you when it rains. Furthermore, the bankers of the United States, even if we grant them the best intentions in the world, are not in a position to work in cooperation in support of any definite policy. They have the power to issue vastly more credit than is ever actually neces-

sary. Sometimes they do this. At other times they issue so little that the economic system cannot be carried on. Then we get starvation in the midst of plenty, such as we are enjoying at the present day.

"Our bankers may be compared to a number of theater agents, each of whom is authorized to sell an indefinite number of tickets in a theater. The total seating capacity of the theater, we will say, is 3,000. If 500 tickets are issued, or if 6,000 tickets are issued, the results are equally disastrous. It is a hit-and-miss method.

"In my judgment, the only agency which should be authorized to issue tickets for the national theater is the Nation itself. Call these 'tickets' 'tokens', or 'scrip', or 'dollars', as you will. The National Government must decide as to how many are needed.

"For, mind you, it is not merely the private individual who is forced to pay tribute to this strange, unreasonable system. The great industries, the great producers of the country, who are creating their share of the national credit, have each one of them to pay tribute to a bank in order to make use of the credit which they are creating.

"And what about the Government itself? Here we have a financial crisis, due in large measure to the stupidity of the bankers, and the futility of the system under which they are working. The purchasing power of the country has dwindled to a vanishing point. Millions upon millions are out of work and have no means of support. The Government is fulfilling its primary duty when it comes to the rescue of these people. The amount that we are spending for public works and relief may seem large when figured in dollars and cents, but it is not a drop in the bucket compared to the credit of this country as measured in its natural resources, in its plants, and in its man power. Yet what does the Government do when it goes to the rescue of its needy and starving citizens? It floats loans through the banks. It pays interest to private organizations for the use of its own credit. The thing becomes still more preposterous when we realize that an enormous proportion of the relief expended by the Government has gone to the aid of the great banking institutions. So that actually the Government of the United States is getting itself into debt to the banks for the privilege of helping them to regain their stranglehold on the economic life of a community.

"Up to April 30, this year, the Reconstruction Finance Corporation had advanced to banks and trust companies about \$1,553,000,000, and to other financial institutions nearly \$700,000,000, of which only a little over half has been repaid.

"To my mind, this situation should have been stopped in March 1933. The bankers were then helpless and hopeless. They thought the end had come. They would themselves have welcomed a liquidation of their assets in favor of the Government. Now it will be more difficult. Yet the logical situation remains the same, and we are going to have to reestablish in the hands of the Federal Government the right which the Constitution placed there in the first place.

"I am now preparing a bill which is intended to accomplish this result. I wish that we might have the chance to vote on it at the present session. If that is impossible, it will be largely due to the lack of public interest and public understanding on the subject. The creation of a national bank which will eventually have a monopoly of the issuance of credit is, to my mind, the most vital need of the country today. I do not mean that that alone will get us out of the depression, but it is the first step in that direction, the first step without which none of the other can be taken.

"The ultimate control rests today neither with the people nor with the representatives of the people, but with a body of private citizens who, no matter how high-minded they may be as individuals, are responsible to no one but themselves. Let us as free Americans resume that ultimate control of the distributive system which the fathers of our Republic intended us to have."

Senator GERALD P. NYE, of North Dakota, speaking on Capitalization and Public Ownership, said:

"A study of capital structure in American industry all too clearly reveals the need for vast reform if we are ever to enjoy a measurable degree of prosperity for the people. In 1931, for example, corporations with capital assets of \$50,000,000 or more numbered 632. These 632 corporations possessed over half of the total assets of all corporations. These 632 paid over three-fifths of the total of corporation cash dividends paid during the year, and included all the large financial, industrial, railroad, power, and natural resource enterprises.

"The power and influence exercised by these few giants are all too evident. It can fairly be said that the destiny of the economic structure of America is in the hands of these few. Into their capital structure there has been poured much water. Upon this water and the true values involved selling costs and prices are based. These prices enter very largely into the lives of all Americans and in a great measure determine their prosperity. It was a terrific overload of this sort that the people found upon their backs in 1929, which caused the crash from which we have not even yet recovered. And we are not going to recover until we can stuff off that part of capital structure which is representative of anything other than true wealth invested in actual and productive values.

"In these manipulated markets of 1925 to 1929 we never asked questions about the real values in a share of stock. We did not stop long enough to learn what were the earnings of the concern

in which we bought an interest. We but wanted to know how much the price of a share of stock had jumped the day before, and the manipulators saw to it that a healthy gain was shown.

"This mad race for easy money, while the manipulators at the pumps were busy pumping water into capitalization and creating, through mergers and otherwise, false and fictitious valuations for industrial enterprises, found capital withdrawn from worthy fields and interest and solicitation lost for fundamental and honest industry.

"It is quite proper to say that factors within our economic structure for those years leading up to 1929 were bent upon destroying it from within and succeeded in no uncertain measure. Yet we speak of our economic structure as having suffered a break-down in 1929 as though some force from outside had moved upon the structure with malice and intent to crush it.

"Likewise, we refer to those years between 1915 and 1929 as the years of our greatest prosperity, while, as a matter of fact, they were years in which the few were reaping great harvests while the interests of the masses of the people were ruthlessly ignored and while our economic structure was actually in the throes of death and destruction.

"Ignoring of these truths and refusing to face these facts would afford some amusement were it not for the fact that we are today devoting our national energy in a great drive to win new and renewed life for our economic structure with the fiction rather than the truth of 1915 to 1929 as our blueprint. It follows that we waste these energies. Economic recovery will never be accomplished by construction upon the drifting and uncertain sands washed up by the boom days—those days of our so-called 'greatest prosperity.'"

Benjamin C. Marsh, executive secretary of the People's Lobby, speaking on What Congress Should Do Now on Public Ownership, said:

"Various experiments which have been tried since March 4, 1933, have proven not to meet the situation. It is absolutely necessary that there should be an immediate and drastic redistribution of the national income through taxation, repealing at least \$1,000,000,000 of Federal consumption taxes, and taking at least \$3,000,000,000 more of income of the wealthy through increased surtaxes, estate taxes, and taxation of corporation liquid surpluses and profits.

"The total increase in pay rolls and the increase in purchasing power of the farmer through processing taxes on farm products, since March 1933, are not as much as the Federal Government and local governments have spent on relief of the unemployed and in credit for public works and construction. The Monthly Survey of Business of the American Federation of Labor for May points out that although there was an increase in employment up to October 1933, hundreds of thousands of people have been laid off since then. This report also points out that although the wages of many employees have increased, the increase in costs of living has been so heavy that there has been no increase in purchasing power. In 1931 and 1932 the value of public works was between 2 and 2½ times as great as the value of public works last year, when the figure was only \$1,300,000,000. Our experience has shown us that the Government alone can employ those who must be reemployed. At least 6,000,000 people will remain unemployed unless the Government employs them. The Federal Government should, at once, not only investigate the capital structure of corporations so that excess capitalization may be written down, as Senator NYE suggests, and make banking and the issuance of credit a Federal nonprofit institution, as Senator CURTIS has urged, but should take over and operate the railroads, all natural resources—such as coal, water power, oil, and natural gas—and other basic industries. Congress should also before adjournment enact the Frazier-Sinclair bill creating a Government Marketing Corporation, empowered to purchase, process, and sell farm products to the ultimate consumers. Voters should insist Congress remain here till this program is enacted into law."

WHERE IS THE NATION HEADING?—ARTICLE BY SECRETARY ICKES

Mr. COSTIGAN. Mr. President, in the New York Times of Sunday, May 27, 1934, appeared an article entitled "Where Is the Nation Heading?" by Hon. Harold L. Ickes, Secretary of the Interior. Secretary Ickes in his discussion contrasts the "old deal" and the "new deal." He is a member of the President's Cabinet and prior to that was a lifelong Republican and progressive.

I ask unanimous consent that his article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sunday, May 27, 1934]

WHERE IS THE NATION HEADING?—SECRETARY ICKES, ANSWERING THE QUESTION AND REPLYING TO CRITICS OF THE NEW DEAL, SAYS WE ARE MOVING TOWARD A DAY OF SOCIAL-MINDEDNESS IN BUSINESS LIFE AND OF HAPPIER LIVING FOR ALL

By Harold L. Ickes, Secretary of the Interior

The answer to the question, "Where are we headed?" is a simple one, although it must necessarily be expressed in general terms. We are headed toward the goal of the greatest happiness for the

greatest number of our people. And that is where we ought to be headed if we have any decent regard for the welfare of others or any intelligent concern for our own best interests.

After all, the human race has always been headed toward this same goal. There have been times when, in our quest for the greatest good of the greatest number, we have found ourselves standing still, mistakenly believing that at last we have reached the end of the long trail. At other times we have strayed into the wrong path through listening to false shibboleths or following ignorant or selfish leadership, only to bring ourselves up on the brink of an abyss.

On such occasions the progress back to the right path which, whether we consciously will it or not, we shall follow to the end, has been slow and painful and beset with dangers. But we have never lost hope, we have never been ready to call quits. Always the human race has gone forward, and always it will go forward. That persistent, unconquerable urge to make it possible for our children to lead fuller and richer lives than we ourselves have been able to live is a spiritual quality that distinguishes man from the rest of the animal kingdom.

In our attempt to say where we, as a nation, are now headed, it may be well to consider briefly where we were headed before we changed our direction on March 4, 1933. For almost 4 years before that day we had been drifting, going nowhere at all. Caught in the worst economic jam the country had ever known, we were milling around in a confusion that grew steadily worse. And throughout the 8 years before that, ending in the fatal autumn of 1929, we had been wandering in a fool's paradise of false prosperity and hastening directly for the jam.

In 1929 we had strayed far from the path which the Nation at the start had marked out for itself. We were spiritually drunk. We were living, so we assured ourselves, in a new economic era, an era that was the ultimate goal of human aspiration. The old simple virtues seemed outworn; they seemed quaint relics of a naive earlier generation. To the accompaniment of blaring jazz we refused any longer to take thought for the morrow. Brought up under a strict injunction to live within our incomes and save for a rainy day, we were encouraged even by bankers to withdraw our savings and invest them in securities.

It is not without significance that the latest Pulitzer prize for editorial writing went to the country editor who took for his subject the question, "Where is our money?" and answered by saying, "We spent it." Precisely so; and as individuals and communities we dissipated our credit also. Did we need extra funds to pay for our joy ride that was to stretch beyond the far horizon? Any stockbroker would open a trading account on a slender margin, permitting us to buy stocks and commodities that we never proposed to take title to, or to sell what we never expected to own. The way to keep the frenzied dance going was to buy what we neither wanted nor could afford.

In order to stimulate the purchase of the excess products of our industrial system our financial wizards invented the plan of installment buying, thus enticing people to pyramid purchases of unnecessary goods just as they were pyramiding speculative purchases of securities and commodities. The waitress in the restaurant took advantage of any lull to rush for a look at the stock ticker. The elevator boy on his way to becoming a capitalist passed along market tips to the janitor, who eagerly placed a second mortgage on his home in order to play them.

We dwelt in air castles and spent our days nervously clutching, like monkeys, at the narrow white ribbons on which the busy ticker was imprinting symbols indicating prices of stocks on the New York Exchange. Everyone might become rich without effort. In our haste to get our share we took no heed for the future nor felt any concern for our neighbor. We boasted, and honestly believed, that a miraculous new kind of era had come; an era of physical comforts and material luxuries; an era, we were told, of chicken dinners and two-car garages for all.

In those wild days we lost sight of spiritual values or deliberately ignored them. Racketeers flourished, and we read of their deeds with half-amused tolerance. We made heroes and prophets of clever crooks who were able to build up fortunes outside the law. We condoned the misdoings of men in high public office. "Why shouldn't they get theirs, too?" We were vexed at honest men who insisted upon exposing such outrages as the Teapot Dome steal. Provided we were acquiring wealth, either actually or on paper, we did not care what others, like minded, were doing. There was enough to go around, and the chief end of man was to glorify gold and get all he could of it.

After the World War, when our country was spiritually deflated and emotionally exhausted, our leaders had proceeded to take us back to "normalcy." An inspiring slogan that, to appeal to the spiritual quality in man! Our statesmen were perfect for their decade. It is only fair to say that had they attempted to lift their voices in deprecation of the materialism of the age no one would have heeded them. They and their public thoroughly understood one another.

"Get while the getting is good" became the national motto. Laissez-faire was on the throne. National leaders seemed great to the crowd if they simply let the crowd alone, and greatest of all seemed those who cheered on the orgy of speculation from the sidelines and issued encouraging statements whenever the stock market showed signs of fatigue.

At a time when we desperately needed the right kind of leadership to restore us to some degree of sanity, we had no leadership except the materialistic sort. If statesmanship implies an ability

to peer even a little way into the future, we had no statesmanship. We had Presidents merely because, under our form of government, we are required to have Presidents.

During that materialistic decade few people thought of asking, "Where are we headed?" It is a hopeful sign that the question is asked so often today. Many people ask it sincerely, in profound concern for their country. They are still shaken by the crash of 1929; they are still appalled at what they saw when the awakening from the crazy dream of the nineteen twenties came at last. It is a question that every citizen with any patriotism in his soul ought to be asking. For not all of us have repented of those days or will admit that they were evil. Not all of us have forgotten the fleshpots.

Significantly, those who most sharply and even threateningly demand, "Where are we going?" are men who were political leaders of that era of folly. They are newspapers that sang paeans of praise of that era while it lasted. They are bankers and brokers and captains of industry who led that mad-dervish dance. The implication in the question, as they ask it, is that we were dwelling in peace and happiness; that all was right with the world until March 4, 1933.

Yet the question is a proper one, even though it is most frequently asked for the ulterior purpose of covering up the defects and the crimes of an economic period that constitutes a blot on our national history—a blot that will take more than one generation to wipe out. All of us are rightly, if anxiously, concerned over what lies ahead for us.

Just where, then, are we headed? First, and unmistakably, we are headed back from that make-believe land of mirages and will-o'-the-wisps where, 10 years ago, we hoped to establish ourselves permanently. We are retracing our erring footsteps, and it is hard going. At the same time, in my firm belief, we are entering a period of sound and genuine well-being; a period illuminated by our recent discovery that we cannot safely disclaim social responsibility for our acts in the economic world and that we cannot truthfully assume that we are not our brother's keeper.

We have learned much about economics since we went on that 12-year detour of ours. Theodore Roosevelt and Woodrow Wilson had tried to teach us, and we promptly forgot. We had to go down into the depression to learn our lesson. And now, as we struggle back to the highroad where we should have been traveling all the while, we humbly and thoughtfully take up again our traditional task of making our country a good place to live in for every man, woman, and child.

To itemize some of our major objectives: We want to make sure, by adopting the pending constitutional amendment, that child labor in this land will be abolished forever. We must do away with sweatshops. We must protect women workers from unreasonably long hours of toil at tasks beyond their strength.

We would see to it that every man or woman who works does so in wholesome surroundings and for wages that will provide the necessities of life and leave something over for modest pleasures and luxuries. We say that workers should have a share of leisure to enjoy the American civilization they help to build; that it is not enough any more that any worker in a land of plenty should derive from a life of toil only the bare privilege of staying alive to toil. We would require employers to recognize the legitimate demands of labor, and we would require labor, on its part, to be reasonable and just.

Generally, we are headed toward a day of social consciousness in our business dealings with one another. Whether that goal can be reached by our people voluntarily, or whether some measure of social control will be necessary remains to be seen. We declare, however, that our economic system shall no longer run wild periodically, ruining itself and throwing millions of us out of work. The day will come, I hope, when that system will be so enlightened as to see that it can best serve self-interest by serving the common welfare and when it can be trusted to regulate itself.

We have given it every opportunity in the last year to effect reforms of its own volition; we have even lifted old and vital laws to help it meet the emergency. If that experiment, conceived and conducted in good will, has erred, it has erred, I believe, on the side of lenity. It may be found that large monopolistic business has seized unfair advantages over little business. It may be that management today lacks the ability to organize itself to cooperate for the common good. In that case there is only one agency strong enough to undertake the task, and that is the Government. Through harsh experience we have come to see that it is the right and the duty of the community to intervene in whatever may be harmful to the good of the people.

As a Nation alert at last to dangers long ignored, we would strengthen our banking system so that never again will innocent depositors lose their savings as the result of incompetent or dishonest banking methods. While permitting the stock and commodity markets to perform the rightful functions which only they can perform, we would put laws on the statute books to prevent another such delirium of irresponsible gambling as that which contributed so heavily to the crash of 1929. Through legislation we would save honest business from the old lethal operations of financial pirates and the securities exchanges.

We would make it impossible for a handful of ruthless, predatory men to accumulate immense fortunes through exploiting less fortunate people in no position to protect themselves. We believe the day is over in America when men who are extravagantly rewarded for their skill in serving their special group at the expense of all other groups can hope to escape social censure.

In taxation we are headed toward new laws that will discard the time-honored principle of "soak the poor." By a just and

fair system we would, for the common welfare, assess taxes in proportion to ability to pay. In the public realm we would conserve our natural resources and prevent waste and reckless exploitation, at the same time drawing upon those resources for legitimate needs.

We look forward to cleaning up slum areas in cities and countryside; to bringing farm prices into fair relation with factory prices and otherwise aiding our greatest and worst-stricken industry to rehabilitate itself. We propose to inaugurate a system of old-age and unemployment insurance, realizing that this is the most economical and self-respecting method of meeting an obligation which society must somehow meet in the end. We want to provide schooling facilities ample to educate every child to his capacity to absorb and use an education. And our aim in foreign affairs is to play a generous and honorable role as a means of maintaining peace throughout the world.

To attempt to forecast the future of the Public Works program is not for one so closely identified with that program as I am. Some of the severest criticism today is directed at the Government's large-scale effort to create jobs for the millions of workers who were left idle by the collapse of the old economic order and at the same time to produce permanent social gains under the most careful supervision possible for us to establish in housing and other construction, in water power, flood control, land reclamation, reforestation, and like projects.

I would only say that it is unthinkable to me that before business has absorbed a greater part of the unemployed this Nation will abandon its policy of standing by those of its citizens who are still without means of sustenance, through no fault of their own. I regard the continuance of this work, even the increase of it, if necessary, as the Nation's first duty. To be parsimonious in this respect at this time will be at the cost of human suffering and will, in my judgment, gravely retard recovery.

It is asked whether industry, with its increasing use of labor-saving inventions and its new economical methods of distribution, can ever again absorb all of our unemployed. Possibly, as the years go on, the Nation will have to create and support new and useful public services, such as some of those under the C.W.A. and the C.C.C., in order to provide honorable work for all. That is a question for the future.

These are some of the goals toward which we are headed. Utopian goals? Yes, utopian indeed; but I do not apologize for suggesting that utopia is a proper goal for us to strive for and that we are worthy of such a realm if we can achieve it. We are a spiritual people, and life for us would not be worth living if we did not have this urge to reach for what will always seem beyond our reach. If we cannot have it for ourselves, we want it for our children, those projections of ourselves into immortality.

As a people, on election day of 1932, we willed that the advances listed here should come to pass. Despairing of the sordid policies that had led us to the verge of ruin, we turned our eyes for salvation to the long-neglected fundamental ideal of our Nation—the ideal of the greatest good for the greatest number; the ideal of government of, by, and for the people.

Thousands of us, self-seekers of every kind—and that includes most of us—wondered that we had forgotten it so long. We wondered that never before had it been so clear to us that the welfare of each of us depends on the welfare of all of us, and that the forceful, the shrewd, the successful, and the fortunate among us are safe only when all of the people are safe.

For a year and more that ideal has lighted our national course. It has inspired every step taken by the Government in the huge labor of repairing the wreckage left by the blind and selfish forces that brought us to the catastrophe of 1929 and the desolation of 1932. But now that further ruin is stopped and recovery begins to come, those same forces are pulling themselves together, viewing with alarm and uttering cries calculated to frighten the faint-hearted.

According to them, we are headed for paternalism, regimentation, socialism, communism, and a dictatorship; we are moving toward bureaucracy, the authoritarian state, the iron hand of government in business, the abrogation of the sacred right of individual initiative, rule by people with brains, the scrapping of the Constitution, and the scuttling of our free democratic order—to mention but a few of the bogies they raise to startle us.

These advocates of the economic anarchy of the nineteen twenties, asking us to forget what their system did to us, would have us think that we are headed for dreadful goals, indeed, and that we had better put ourselves quickly under their beneficent guidance again. Resorting to a mossy stratagem that worked well for them in the gilded past, they would pin the badge of bolshevism on the new deal.

But they offer no substitute for the new deal except an invitation to us to return to the old deal, and this they do in the name of patriotism. They offer themselves as saviors of our cherished democracy from its foes. They do not seem to know that this democracy has never been more alive and hearty and able to defend itself than in this year of 1934. Criticism is expected and welcomed in a republic, and one does not like to accuse critics of sinister motives. But surely there is more in the minds of these particular critics than mere Bourbon inability to learn.

Paternalism? I wonder how much of it the American people would stand if an attempt were made to force it upon them. Regimentation imposed by authority would have as small a chance with us. As a people we regiment ourselves cheerfully in times of national emergency. We did so in the World War. In the present

crisis the policies we are following were willed by a free people glad to practice self-restraint and cooperation for the national welfare.

President Roosevelt said: "Here is the situation. There may be a way out if we all work together. Will you help?" The affirmative response was fairly unanimous. The administration has imposed nothing that the people did not ask for. It is but carrying out their mandate.

Oddly, a considerable part of the alarm sounded today against "regimentation" comes from the group of industrialists who have done more to regiment us and constrict individuality than any other influence among us. I think of their vast factories and the men and women at work there at the machines performing monotonous sets of operations day after day through their working lives. Men who have made robots of so many of our people might well think twice before they accuse others of regimentation.

If you call it voluntary self-restraint for the common good, I should say that we are headed for that. The opposition to such a move is bitter, of course. The cry about the loss of our individual initiative and the curtailment of our proud democratic freedom is particularly agitated and anguished. But a democracy that resolves to abolish piracy and other uneconomic practices of its antisocial members does not thereby impair any respectable right of any individual. It only increases the chance of the multitude of individuals to find their due share of happiness.

We have learned in these hard years that laissez-faire, the system of letting the strong alone to do as they will, in the hope that somehow good will come from it to all of us, is a pernicious doctrine in an age when the individual's potentialities for doing social harm are immensely multiplied, as they are in the machine age. We have learned that "the pursuit of self-interest is not an assurance of national prosperity."

As we try to apply this new discovery to our shattered economic life there arises an outcry about a dictator in the White House. It is hard for some to grasp the very clear fact that the voice "dictating" is the voice of democracy itself, speaking through its chosen leader and servant. There are those who, affecting a deep concern for democracy, would have democracy silent, submissive, grateful for such crumbs and crusts as may fall from oligarchy's table. Some of us have a better opinion of democracy than that.

I should like to believe that our system of self-government is eminently capable, when it has learned such a lesson as that of the last 5 years, of finding ways to strengthen and preserve itself. I should like to believe that we are heading toward a better and finer flowering of democracy than we have ever known. Certainly we have been an inspired democracy and a resolute one since March 1933. At the end of 15 months we are still headed toward our humane goals. I should like to believe that we can continue in that direction until our purposes are attained.

But we shall have to be vigilant. In the long run the chances always favor the Tories, and these gentry among us are now, after a period of highly appropriate silence, becoming clamorous. We need to bear in mind that the most impatient of those who today attack the Nation's recovery program are the very people and the very interests who mainly made that program necessary.

For 12 long years they led us wandering in the wilderness after gross, false gods. They brought us to the verge of bankruptcy. They turned the country over to President Roosevelt on a day when every bank in the country was closed as the result of their lack of vision, in the first instance, and of their inability to cope with the consequences, in the second.

Here was statesmanship for you! Yet these same "statesmen" are now demanding: "Where are we headed?" After all, it is a rare tribute to the ability of the President that they should expect him, within the space of little more than a year, to repair the wreck of their 12 years of misrule.

They go so far, some of them, as to say that the status quo of the Hoover administration should have been left undisturbed, thus assuring a quicker and more substantial recovery than has been brought about under the leadership of President Roosevelt. They are particularly displeased with the "brain trust." Even men on the floor of Congress, who proudly display Phi Beta Kappa keys on their expanding waistlines, seem not to want ripe judgment or expert advice in the conduct of our national affairs.

Certainly, for some years before March 4, 1933, there was little, if any, evidence of the use of brains in the national administration. As certainly, too, we are not headed back toward the catch-as-catch-can, unscientific system that prevailed then.

One of the specific criticisms of some of the steps we take in our new direction of march is that they are violative of the Constitution. This criticism is expressed so vigorously and so frequently that it will not be inappropriate to consider it here; for, after all, it is a grave criticism. It is directed, as a matter of fact, at the Supreme Court of the United States and not against the legislative or the administrative branches of the Government.

The duty of the Supreme Court is to pass upon the constitutionality of legislative acts, and that Court is alert to protect the Constitution in its essential integrity. It is absurd to argue that this country is in the slightest danger of having imposed upon it a series of unconstitutional laws so long as the Supreme Court continues to function. To argue thus is to question the wisdom or impugn the motives of the distinguished men who constitute that tribunal.

Of course, no one would be cynical enough to suggest, even in passing, that there may be an ulterior motive underlying the clamor about the violation, present or prospective, of the Constitution. No one would assume for a moment that the gentlemen

who are in the forefront of this attack upon the Supreme Court are proceeding in the hope that their talk may penetrate the sanctity of the Court itself and affect the judgments of the men who compose it. No such improper motive, I am sure, could possibly motivate the actions of these gentlemen, many of them outstanding members of the bar, in their assault upon the administration.

It should not be forgotten that while the legislative and executive branches of the Government were swept by the overwhelming votes of the people into new hands in November 1932 there has been no change in the personnel of the Supreme Court. That body as it stands consists of the nine men who composed it before the coming into power of this administration. Six of the nine were, and presumably still are, members of the Republican Party. One, and perhaps two others, are Democrats.

Regardless of the party affiliations of these 9 jurists, it is a matter of record that 7 of them were appointed by Republican Presidents and the 2 who were nominated by a Democratic President had that honor conferred upon them by President Wilson. A mere statement of these facts is sufficient to meet the charge that we are in the slightest danger of breaking away from the Constitution.

A knowledge of history helps the American people to remain perfectly calm amid such uproars as the reactionaries in our midst are now beginning to raise. We remember, for example, the furor that raged around President Lincoln. In 1863 *The New York World* was saying: "The administration shines, like the moon, by reflected light. It borrows its ideas and its policies, so far as it has any, from these crazy radicals. By surrendering itself to their wild and reckless guidance, it is ruining the country."

Not a single word of this invective against Abraham Lincoln and his policies need be changed to serve the purpose of those who berate President Roosevelt's leadership today.

These attacks upon our courageous, experimenting progress toward a new and hopeful order of things in the United States would be amusing if they were not so ominous. A democracy contains all sorts of minds and philosophies. There is no certainty that the Tories may not prevail and take charge of our destinies once more. What will happen in this country after another of their periods of materialistic rule, with possibly another 1929 at the end of it, is not even a guess.

Meanwhile, we are headed on the course which the founders of the Nation charted. We are on our way to raise the standard of living of the great mass of the people, to equalize opportunities, and to redistribute wealth fairly and equitably. And I have faith that the great majority of the American people wish this to be our course.

RECOVERY ALTERNATIVES—ADDRESS BY SENATOR REED, OF PENNSYLVANIA

Mr. McNARY. Mr. President, on Friday, May 11, 1934, the distinguished Senator from Pennsylvania [Mr. REED] delivered over the national network of the Columbia Broadcasting System a very interesting and informative speech, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

RECOVERY ALTERNATIVES

Every loyal American wants his country to prosper and its people to be happy. There can be no distinction in motive between those who try to achieve this goal by one method and those who seek to achieve it by another. The differences which cause political divisions, which set political parties in separate paths, and which give rise to issues which divide Americans into political groups are differences of policy, representing divergent ideas as to how best to promote the ends sought to be achieved.

It is well to bear this in mind when considering the issues which confront the country at any time, and particularly at present. I credit President Roosevelt with patriotic motives in introducing the policies of the new deal. I regret that I cannot recognize the same patriotic purpose in certain others who surround him. But regardless of motive, and regardless of what you or I or anyone else may think of some of the things which are going on in Washington, and of the policies set in motion by the President and those to whose advice he listens, we all know that in the end they will be judged by results, and not by what we think of them now. If these policies are sound, the country will know it and accord their authors the credit they will have deserved. If they are not sound, it will be equally apparent and the condemnation of public opinion will be as searching. That is as it should be under our form of government.

In the meantime, however, while these experiments are in progress, there seems to be a growing tendency on the part of their sponsors to resent criticism, to attribute it to unworthy partisan motives, and to ascribe to the critics of certain policies of the new deal a purpose to break it down for their own advantage. This sensitiveness to criticism appears to some of us to have its source in fears on the part of its authors that perhaps all is not well, after all, and that those of us who have been pointing out the dangers of these policies are perhaps right, and the policies we are criticizing are perhaps wrong. I am sure in my own mind that

this is so. But be this as it may, the friends of the new deal have on many occasions recently taken refuge behind the statement that no one has a right to criticize unless he can offer an alternative.

This is like saying that if we see a man staggering down the street, obviously under the influence of too much liquor, we have no right to say he should have stayed sober, or to try to persuade him to sober up. We should offer him, instead, some other kind of stimulant, or try to persuade him to become intoxicated in some other way. I do not intend in saying this to be facetious. I say it to illustrate what seems to me to be the state of mind of the professors, the doctrinaires, and the theorists who are supplying the ideas for the new deal, and to whom President Roosevelt unfortunately is listening. They have fed the country first one stimulant and then another until it is staggering under more different kinds of bad medicine than any country could possibly absorb without serious and possibly permanent injury.

And all it needs, in my own judgment, is to quit taking these stimulants, to get out of the overheated and stifling atmosphere of the new deal, to get back to plain living, and to sober up. That, basically, is the alternative I offer for the spree which has been in progress for the past year. If by liberal applications of cold water I can assist the country toward sobriety I shall continue to throw it by the bucketful.

There are alternatives which I would offer also for particular policies of President Roosevelt. In the short time allotted to me tonight I can discuss these only in outline. I present them for two reasons: First, as a sincere expression of my own views as to the best approach to real recovery; and, second, as an answer to those defenders of the new deal who ask constantly: "What is your alternative?" This is my answer:

FARM POLICY

Instead of paying the farmer for plowing under his crops and reducing his acreage, a policy which is wasteful, sectional in benefit, and dishonest in conception, which has led to wide-spread abuses throughout those sections of the country where it is in evidence and which likewise has placed a stupendous burden on all consumers, payable in higher living costs, I would give the farmer sound money, good roads, low taxes and interest rates, accurate market reports, and the benefit of scientific research in the field of agricultural aids. Given these, I would let him alone. I would not pay him for injuring himself, as the Government is doing at present. I would not encourage him to think that the Government will somehow support him. Above all, I would not interfere with his independence or in any way take from him the freedom which makes him prefer farming to any other occupation. The spending spree calculated to help the farmer has done untold injury to all farmers except those in a few States who have received money for work they did not do. And for this we all pay.

THE N.R.A.

To the extent that the N.R.A. has raised wages, shortened working hours, and succeeded in abolishing sweatshops and child labor it deserves commendation. These gains should be made permanent. To the extent that it has permitted price fixing at the expense of the consumer, operated to nullify the antitrust laws, and injure the small merchant and the small business man—like the pants presser in New Jersey who was given a jail sentence for charging 5 cents less for pressing a suit of clothes than the National Recovery Administration thought he ought to charge—I am against it and think these policies should be discarded and the law itself repealed. In a society in which big business is slowly crowding out little business, minimum-wage laws and fair-trade laws are necessary. The small, independent business man who relies for success on his own character, energy, and intelligence must be protected and encouraged. It is from this group that the Henry Fords have come. Yet it is big business which is being helped and little business which is being injured by the policies of the N.R.A. as administered at present.

THE CURRENCY

There can be no substitute for sound money in any country which uses money. To debase the dollar once is to establish a precedent for debasing it again. If it doesn't serve to raise prices the first time, there is always the temptation to inflate the currency a second time and a third and a fourth time. Inflation is a drug. I do not want to see the United States acquire the drug habit. It is probable that we can never go back to a gold dollar of the standard we knew before the arrival of the new deal. The Federal Government during the past year has reached into the pocket of every American citizen and taken 40 cents of every dollar he possesses, no matter in what form it may be held or invested. If you or I did that as individuals, it would be called "stealing." The professors call it "reflation." Called by any name the effect is the same: you lose your 40 cents. I do not want to see that happen again. I want the currency kept sound. I want prices to remain within reasonable limits so people can buy the food and clothing they need. I am against stealing the money of the American people in the name of recovery.

CREDIT

Every day the Federal Government is going a little farther into the field of private credit, lending more and more money to people who need it, forgetting that this process is likewise a drug which could easily ruin the country. This policy has operated to dry up credit, to scare capital into leaving the United States in search of more fertile fields of investment elsewhere, and to deprive

Americans of work while American capital is used to build factories abroad. But there is an even more sinister aspect of such a policy in the control it gives the Government over those who need money and must come to Washington to get it. As an illustration, we all know of the abuses which have grown up in the home loan system. In my own State of Pennsylvania the field force of the system is being rapidly replaced. The political appointees who administered these funds originally were lending money to their friends, refusing loans to political opponents, and making unsound loans on fictitious values. That is the danger of allowing politicians to control the machinery of credit. Given control of all credit, it would be possible for any government to perpetuate itself in power indefinitely. I am against that. The Federal Reserve System and the home loan system are necessary as reservoirs of credit for those engaged in the lending of money as a business. But they should not function directly in that field, except in emergency. When the emergency passes these functions should cease. I worked and voted for the law creating the Federal Home Loan Bank Board and the Home Owners' Loan Corporation, recognizing that there existed at the time a great need for funds for home financing and that these could not be obtained from any other source. There is still a great opportunity for service in this field. But I have been disappointed in the functioning of the system in the first year of its existence. In the field of farm credit I have said many times and still believe that the system should be simplified, so that the farmer who needs a loan could come to some one central agency and get an answer to his problem without wasting weeks or months learning where to go.

GOVERNMENT SPENDING

My alternative for the present policy of spending twice or three times as much as the Government receives in revenues is the old-fashioned one of living within our income. I persist in thinking that we can't spend our way to prosperity. No individual has been able to do it and no government can do it. The millions of Americans who have been on the receiving end of the \$10,000,000,000 of Government money spent in the last year or two will not like it, but they must learn eventually that the process cannot continue indefinitely. One of two things will have to happen very shortly: The Budget will have to be balanced or we will find ourselves on the toboggan of inflation, starting down a slippery track to a certain crash at the bottom. It isn't too late to turn back. In another year it may be. I am for balancing the Budget now. The first lesson that every schoolboy and schoolgirl should be taught is that the American people themselves pay for the joy rides of their Government; that they are the Government, and that spending is always followed by paying the bill.

C.W.A., C.C.C., R.W.D., AND OTHER RELIEF MEASURES

A single, simple, permanent policy of work relief, based on the principle of the Civilian Conservation Corps, with military training and discipline added and work projects scrutinized more closely, should be substituted for the policy of handing out money by the millions to States, counties, cities, and individuals without adequate check on results. The idle population of the country must be supported, but those who receive relief funds from the Government must, if physically able to do so, render an equivalent service to the community for the relief received. I would exempt all women and children from the operation of this rule. I confine the work-relief policy as outlined to able-bodied men.

For the policy of hiring hundreds of press agents at public expense to put out propaganda defending the new deal, as is being done at present, I propose as an alternative that the President and his advisers tell the country the simple facts.

For shocking waste of public funds, I propose the alternative of rigid public economy, believing with Thomas Jefferson that to take one penny from the taxpayers unnecessarily is to steal that penny.

For the policy of ruling the life of the individual citizen from Washington, I would, as an alternative, restore to all Americans the sense of freedom in search of which their ancestors came to these shores. For the fantastic experiments of the past year, many of which have failed when tried by other countries and other civilizations, I propose the alternative of tested truths and common sense.

The application of these alternatives would hasten real recovery. They would set us on the road to a prosperity greater than we have ever known. The failure to apply them already is leading us in the direction of disaster.

WAR—ADDRESS BY DR. ARTHUR TALMAGE ABERNETHY

Mr. REYNOLDS. Mr. President, I ask unanimous consent that there be published in the RECORD an address delivered by Dr. Arthur Talmage Abernethy at Rutherford College, North Carolina, on the subject of War. For the information of those who read the article I should like to have the privilege of saying that Dr. Abernethy is an educator, a lecturer, and an author of North Carolina, and has the distinction of having written 52 books.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Every fiber of my nature rebels against any unholy effort to involve the United States in war. If we are sincere in our proclamations as the spiritual leader of the countries of the

earth, we will accept the preachments of the Great Peacemaker and turn our full powers to avert rather than to promote war. We claim to be a Christian nation. No Christian nation can afford to make war. War is hell, hell regnant and rejoicing, and no Christian can lend his services to promote hell. War is the triumph of the devil. It can find no justification amongst men, nor forgiveness from God.

There never was a good war nor a bad peace. War is the rule of brute force over human reason. It is the recrudescence of barbarism. War stands stripped of its mask.

What is war? Not the flying flag, martial music, throbbing drum, flashing sword, gleaming epaulets. It is God's earth gutted with graves; the silver sea stained with blood; mangled bodies; arms and legs torn off; eyes shot out; buried alive; strangling with poison gas; stumbling through life on crutches; gaunt famine stalking through gullies and chasms which were once fertile gardens, grain fields, and orchards; ashes instead of happy homes; mourning instead of music and merriment; children tugging at empty breasts, and starving to death while mothers cry their hearts out; men trampled in the red mud under the hoofs of horses.

War is the concretion of all crimes; the sublimation of all sorrows; it is the avatar of death. War is the procurer and restaurateur of the ravenous vultures that fatten on the flesh of the sons of God. It is the apotheosis of hellish greed and cruelty. It is the incarnation of hell's archruler; the coronation of the Antichrist. On his throne of human bones he sits, and out of empty skulls he quaffs the blood of men and the tears of women. His music is the staccato snapping of heartstrings, measuring the moans of orphans and the idle prayers of widows.

War is the pimp and pander of his majesty the earthworm. War is an epicure feeding only on the flower of manhood. His triumphal march is marked by the livid light of burning churches, galleries of priceless art, libraries, and happy homes. His trail is followed by famine, pestilence, and disease and death. Thirty-five times the number that live on earth have been sacrificed on his red reeking altars, and yet he calls for more.

War is the siren that maddens men and transforms them into beasts. It dethrones reason, kills conscience, and destroys all sympathy. It is the deification of murder. To this archdemon the taste of blood is as sea brine to the sailor, exciting more thirst. War is the carnival of all devils dancing on an isolated world and deriding the God who pronounced it good. War never settled any question; it never will. In its murky slime all vices are spawned; in its holocaust all virtues are consumed.

War is a hellish wizard; it subsidizes the press; fires the flannel-mouthed jingoes; suborns the poet and painter; dazzles the diplomat; subverts science; crazes the clergy; stampedes statesmen; mocks at peace parleys; and poisons public opinion.

War is a pirate; it takes its toll and tithe of all production; it grinds the poor into powdered dust to enrich the profiteers, the bond barons, munition makers, the Coffin Trust, makers of surgical instruments, glass eyes, artificial legs and arms, the Steel Trust, and the undertakers.

War is an anarchist and outlaw, laughing at all conventions, tearing all treaties into strips, and planting every peace pact with seeds of subsequent struggle. War is of the devil—and "war is hell."

RECIPROCAL-TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. VANDENBERG. Mr. President, I desire briefly to supplement the observations which I submitted at some length 10 days ago respecting the pending tariff-bargaining measure.

Mr. President, I might say in this connection that it seems to me the French exhibit is somewhat significant as bearing upon one phase of the tariff controversy which we have been rather constantly emphasizing, namely, the fact that it is the considered policy of European countries to increase their rates on the threshold of a contemplated bargain for the purpose of ultimately reducing the rates without loss in respect to the indicated commodity.

I refer again to the fact that Senate Document No. 7 of the Seventy-third Congress, first session, particularly defines and emphasizes this process under a heading which significantly reads as follows:

The padding of tariff rates in preparation for bargaining.

Mr. President, we Americans have no padding upon which we can fall when we undertake to enter the international market place and seek one of these so-called "bargains." Other countries already have provided themselves with the padding—and I am using the word sent to us by the Tariff Commission as descriptive of the process. They have their padding. We have no padding. When we fall, we fall with a dull, sickening thud upon the hard floor of reality. We have no cushion. When they fall, they fall upon the pad-

ding which they have created for this precise purpose. We shall be hurt worse than they—or we shall be protected by a veritable miracle.

If France, for example, is considering at the moment an increase of 3,300 percent in the tariff on American films, it is perfectly obvious that the padding process already in contemplation will leave us utterly at a fatal disadvantage in respect to hoping ever to break even in connection with one of these padded undertakings. We are not equipped for such combat. The pending proposal does not bring us added equipment. It merely brings us added exposure.

I call attention in the same connection to the fact that we are advised in this debate and in the promotion of this bill that the world's economy has been particularly upset by tariff barriers and other artificial obstacles to the free flow of international trade and intercourse. We are told that by now embarking upon the tariff-bargaining policy ourselves we shall facilitate the world's release from these barriers and obstacles which have interrupted the free flow of world trade and world intercourse. Yet, Mr. President, in the very document from which I have been reading—namely, Senate Document No. 7 of the Seventy-third Congress, first session, which is a letter from the Chairman of the United States Tariff Commission—the following sentence occurs:

Since 1919 there is evidence that the increase of tariff rates and the erection of barriers principally for use in bargaining—

I emphasize the phrase "principally for use in bargaining"—

has grown rather than diminished. Accordingly, the difficulty of making a reciprocity treaty yield net reductions—

I emphasize the phrase "net reductions"—

in foreign tariffs has increased rather than diminished as the bargaining countries have attained greater experience.

In other words, we are put upon notice by our own Tariff Commission that when we join this maelstrom of bargaining in the international market place we are not in fact contributing to any new and broadened international comity. On the contrary, we are simply following our European neighbors in the precise trends which have created the very difficulties from which we undertake to secure relief. We increase, we do not diminish, the frictions and the hurdles and the handicaps.

But, Mr. President, I rose particularly this morning, supplementing my observations of a few days ago, to call attention to one or two rather significant facts which are available in the experience of the past few days. I desire to call attention to the fact that the President of the United States on Saturday increased the protective-tariff rates on chenille-rug imports and imports of other cotton rugs. In response to the recommendation of his Tariff Commission, which had discovered by its inquiry that the cost of production in the United States in respect to these commodities required an additional import protection in order to permit them to survive against cheap foreign competition, the President on Saturday increased the tariff rates upon these rugs.

Former Governor Max O. Gardner, of North Carolina, counsel for the Cotton Textile Institute, was quoted in connection with this Presidential use of the flexible power to increase the tariff on rugs as follows:

The cotton-textile industry as a whole has been vitally interested in this case. It is the first case affecting a basic industry which has been decided by the President on the provisions of section 3 (e) of the National Industrial Recovery Act. The decision will be interpreted by the industry as showing that the President is fully conscious of the peril to American labor and American industry resulting from uncontrolled importation from countries whose standards of living are lower than ours, and whose industries operate without codes and without limitation of hours or minimum wages.

Coming at a time when tariff bargaining is in the forefront of national thought, this decision is reassuring and heartening, not only to the textile industry but to industry in general.

Mr. President, that is a very significant statement by a very distinguished Democrat from North Carolina who is intimately related to the present administration.

Mr. HATFIELD. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. HATFIELD. The rug industry in America, as it has suffered from imports from Japan, is not unlike the china and the pottery and the match industries, which have been suffering almost since the enactment of the Smoot-Hawley tariff bill, as the Senator will recall.

Mr. VANDENBERG. The Senator is quite correct.

Mr. President, I desire to reemphasize what ex-Governor Gardner, of North Carolina, has said in this connection. He said, in effect, precisely what I said in my original argument against the pending bill, namely, that if the powers inherent in this bill are used, they will be directly at war with the N.R.A. and with the A.A.A. He said, in terms, that the rug decision will be interpreted by industry as showing that the President is fully conscious of the fact that American industry cannot proceed with its artificially increased cost of production under the N.R.A., that American agriculture cannot proceed under its artificially increased cost of production under the A.A.A., and successfully face foreign competition except as there is an increased measure of protection instead of a decreased measure of protection, as contemplated by the pending bill.

I think it is no misstatement of the purpose of the pending bill to say that it anticipates lower tariff rates, because I can scarcely bring my imagination to conceive of a bargain which would interest any foreign country in which we increase our tariff rates in order to please our foreign neighbor.

The President, according to his action upon Saturday, and according to the interpretation of it by Governor Gardner, acknowledges—

The peril to American labor and American industry resulting from uncontrolled importation from countries whose standards of living are lower than ours and whose industries operate without codes and without limitation of hours or minimum wages.

Governor Gardner, interpreting the action of the President upon Saturday in increasing the rate of duty upon rugs, specifically says that we cannot embark upon a lower tariff trend and hope to leave any remote opportunity even of survival for American industry under the N.R.A. and American agriculture under the A.A.A.

This tariff-bargaining bill, then, if used at all, will destroy the N.R.A. and the A.A.A. in whatever degree it is used. This bill, if not used, will create nevertheless the threat of destruction, and thus curse industry and agriculture with fatal uncertainty.

Mr. President, every economist that I have read in the past perplexing year has finally come to the conclusion that uncertainty is the major hazard and jeopardy which confront and undermine the recovery program. It seems to be universally acknowledged that if we could overtake and overcome uncertainty, if we could substitute a feeling of dependable certainty in American business, we should be well on our permanent way out of the slough of despond. I think it is well illustrated that this is the truth by the effect which our new Federal deposit insurance has had upon the banking experience and history of the country, and upon the attitude of our depositors.

Here is the one single point in the recovery program where there is definite and specific certainty. As a result, there has not been a single bank failure since New Year's Day; hoarding is almost at an end; bank balances have increased upon every hand and in every sector of the Nation. That is what happens when certainty is available to the understanding of the American people.

Governor Gardner, of North Carolina, discussing the industrial situation, reiterates the need for certainty if there is to be any constructive progress for the future. Governor Gardner says that the President's action in increasing tariff rates upon rugs, "coming at a time when tariff bargaining is in the forefront of national thought, is reassuring and heartening."

Mr. President, it can be reassuring and heartening to business as a whole only as it demonstrates that the President does not intend to use his bargaining power in the

reduction of any tariffs which will invade the differential and cost of production at home and abroad. If that is what Saturday's decision means, then the decision is reassuring; but if that is what Saturday's decision means, then this tariff bargaining bill is an idle gesture, pure and simple, will never be used to any appreciable extent, and, as a result, is utterly uncompensated in respect to the threat of uncertainty which it leaves, hanging like the sword of Damocles, over the head of American business and agriculture.

Mr. LEWIS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CUTTING in the chair). Does the Senator from Michigan yield to the Senator from Illinois?

Mr. VANDENBERG. I yield.

Mr. LEWIS. I listened to the able Senator from Michigan making an allusion, a fitting illustration to his argument, to the act for the insurance of bank deposits, in which, let it be said, the able Senator from Michigan contributed his intellect and ceaseless industry, and to which other Senators on this side and on the other contributed their best efforts and reflection. The able Senator says that the certainty of that measure brought back deposits, gave more security to the deposits in the banks, and worked a complete benefit, unquestioned, because of its application. I ask the Senator, Will he please explain, if it is in his mind to do so, why, with such a splendid piece of work done in behalf of the plain people, whose deposits had been jeopardized, and to prevent the banks from any further looting of their own institutions, after this measure was enacted a group called the Investment Bankers' Association, another, a State bank establishment in Virginia, in a meeting at the Greenbrier, White Sulphur Springs, and then the American Bankers' Association, all should have passed resolutions denouncing this administration, denouncing the insurance measure, speaking of it as an element of socialism, referring to it as a failure, and as one that was unbecoming statesmanship and destructive of the confidence of business?

Mr. VANDENBERG. What is the question the Senator submits?

Mr. LEWIS. I ask the Senator, What has the Senator from Michigan to say reconciling those forms of objections from these large interests attacking this administration because the bill in which the Senator had so prominent a part was enacted?

Mr. VANDENBERG. I had not expected to detour into a discussion of the bank deposit bill, but I am very happy to respond to the Senator's inquiry.

I would not undertake to explain or palliate the attitude of such bank associations as may foolishly continue to stand in opposition to the deposit-insurance formula under which we are now operating. I remind the Senator that the great American Bankers' Association, the A.B.A., met in Chicago, his home city, last September, and passed resolutions violently attacking the entire bank-deposit theory and text.

Immediately upon hearing that news I solicited the opportunity to appear before a convention the following week in Chicago of the National and State banking commissioners of the country, and I undertook to say in that presence that I considered the attitude of the American Bankers' Association to be not only inexcusably reactionary but utterly beyond economic defense. I continue to hold to the same view. And if any banking associations today persisted in an attitude of hostility to the fundamental proposition of bank-deposit insurance on the sound basis of today's operating formula, I would join the Senator from Illinois in saying that there are none so blind as those who will not see.

Have I answered the Senator's question?

Mr. LEWIS. The Senator has answered, in this respect, that he does not approve the action; but I call his attention to how they declined to see in so splendid and potent a measure certainty that business would revive. They regard the act as so uncertain as to be destructive of everything that makes for confidence in business.

Mr. VANDENBERG. Mr. President, even though they may still find elements of uncertainty in it—and I am happy to say that, in my judgment, 90 percent of the bankers of the country today are in favor of the existing bank-deposit formula—even though there still is a minority of bankers who object to the bank-deposit insurance law, nevertheless, the incontrovertible fact stands plain as day that some 30,000,000 bank depositors have found complete and dependable certainty as a result of that measure, and therefore the triumph for certainty is in proportion of about 30,000,000 upon the one hand to a comparatively few thousand upon the other.

Mr. LEWIS. I concede that. I am merely inviting the attention of the able Senator—who collaborated ably in this movement—that big, bad business always assails everything this administration has tried to do to lift the fallen and to aid the masses.

Mr. VANDENBERG. I am unable to see that the masses have any stake in a reduction of American tariffs which puts these American masses at the unprotected mercy of even competition with aliens at utterly low-wage standards and on a basis of utterly low living conditions. I fail to find any parallel in the Senator's observation, because if there is one group more than another which benefits from the maintenance of the American wage scale and from the maintenance of the American standard of living, it is the group to which he refers as "the masses."

Mr. FESS. Mr. President, will the Senator yield to me?

Mr. VANDENBERG. I yield.

Mr. FESS. I am of the opinion that the criticism on the part of the conventions referred to by the Senator from Illinois is against the old idea of bank-deposit guaranty, not of bank-deposit insurance.

Mr. VANDENBERG. I think the Senator is correct.

Mr. FESS. It indicates rather a blindness on the part of leaders in banking when they confuse the thing which has been accomplished with the thing we have never attempted, and scarcely would attempt unless we were willing to have the Government go into the banking business and operate the banks.

I have been considerably disturbed over the type of opposition we hear expressed in such conventions, which seems to be to what is now being done with so many splendid results to the people, when really the opposition is against something we have never attempted.

Mr. VANDENBERG. I think the Senator's analysis is acute and correct.

Mr. President, let me return now to my quotation of Governor Gardner, of North Carolina, who, I repeat, finds it—and these are his words—"reassuring and heartening" to American industry in the textile trade to discover that the President upon Saturday proposed to put certain tariff rates up instead of down.

Mr. President, that brings one more American commodity to a reprieve from this pending bill. We already have been told, unofficially, that wool need not worry about the application of the tariff bargaining bill. We were told upon yesterday by the able Senator from Mississippi that he will undertake, by textual amendment to the bill, to make it plain that coal and oil and lumber and copper need not worry about the pending bill. We have Governor Gardner's testimony, as a result of Saturday's tariff decision, that this phase of the textile industry need not worry. These are life-saving exemptions vouchsafed to us—although I do not know by what rule of consistency they are selected for the immunity equally craved by others.

Mr. President, each one of these reprieves is gratefully accepted. Each one of these few reprieves reduces, by just that much, the menace and the hazard and the jeopardy which are inherent in this pending tariff-bargaining measure. Each one of these few reprieves removes, in kindred degree, the element of uncertainty which otherwise will curse American business and American agriculture and hobble it and defeat long-range planning. But I submit that it is a

strange piece of legislation, brought forward in the name of recovery at the moment of critical American emergency; it is a strange formula, which can find its chief value only in the serial demonstration of the exemptions to the formula upon which the American people may rely. It is blessed solely in proportion as the country may contemplate escape from it.

There was a significant paragraph in the story in the Washington Star on Sunday, May 27, speaking of Governor Gardner's statement. I quote:

While he did not say so, it is pointed out in other quarters that the raising of rates in this case serves to make it clear that it will be difficult from a practical standpoint for the State Department under the new tariff bill to reduce on industrial products in making trade agreements.

Mr. President, here is the suggestion upon semiauthoritative base that it is going to be difficult, if not impossible, to reduce industrial rates in order to achieve any of these contemplated tariff bargains. We already have the word of the President of the United States that it would be absurd to reduce agricultural tariffs. I quote him literally:

It would be absurd to reduce agricultural tariffs.

So here is the amazing contemplation. On the one hand, it is next to impossible to reduce industrial tariffs; on the other hand, it would be absurd to reduce agricultural tariffs; yet for some unknown reason we must drive ahead with scarcely a word of defense from the other side of the aisle for this legislation; we must still drive ahead in contemplation of the exercise of this autocratic Presidential power in connection with the tariff.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Idaho?

Mr. VANDENBERG. I yield.

Mr. BORAH. I observed in a newspaper a few days ago what purported to be an interview with a leading official in Canada in which it was said that the Canadians would be prepared to take more automobiles if they could send some of their cattle and other products of that kind into the United States. Does the Senator think that a practical proposition?

Mr. VANDENBERG. No, Mr. President; but I think it is a very typical one, and I think it is precisely the type of bargain which lingers in the minds of our good foreign friends who contemplate this present legislation with great alien enthusiasm. We are going to disappoint them or we are going to wreck ourselves. Neither result is useful.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Missouri.

Mr. CLARK. I suggest that it might be a good exchange to permit the importation of Canadian cattle in exchange for the exportation of American corn into Canada. Canada does not raise very much corn. We can bring their cattle over here and feed them with our corn.

Mr. BORAH. It would not be very agreeable, in my judgment, to the cattlemen or the corn raisers to do that.

Mr. CLARK. It would work no real hardship on the American cattlemen and I am certain that it would be extremely agreeable to the raisers of corn, who have suffered so much for lack of market.

Mr. VANDENBERG. Be that as it may, Mr. President, no Congress would ever vote it. And that emphasizes the basic vice of this thing we are asked to do. It is the reason we are asked to do it. We are asked to sublet a congressional power which it is known in advance we would not dare directly to exercise ourselves. Therefore it simply means that we are invited to pass this bill for the purpose of circumventing what would be the contrary tariff views of the American people as reflected through the American Congress and as reflected through most of the Democratic Party itself.

Mr. CLARK. Mr. President, will the Senator further yield?

Mr. VANDENBERG. I yield.

Mr. CLARK. On the contrary, this bill is proposed for the purpose of giving the nations of the world an opportunity to undo the results of their own folly in a tariff-making war almost as ruinous as the competition in armaments.

Mr. VANDENBERG. Mr. President, I am sorry the Senator from Missouri was not here when I began today, because I do not want to take the time of the Senate to retrace my argument. The very thing that the Senator from Missouri says will be the happy accomplishment of this legislation is disproved by the report of the Tariff Commission made to the Senate of the United States on March 30, 1933. This report dismisses such an achievement as an impossibility in all human probability, because this report states textually that the thing in the last decade which has chiefly caused this unnatural, artificial system of international barriers abroad at heights never heretofore known—and this is not my opinion; it is the opinion of the United States Tariff Commission—the very thing that has caused it has been the creation of this tariff-bargaining process in Europe. Why? Because, according to this official report, European countries have learned that the way to bargain is to put their rates up in the hope that they can bargain them back down. If they can bargain them back down, well and good; they have not lost anything. If they cannot bargain them down, there they stand at the new artificial altitude.

Mr. CLARK. Mr. President, will the Senator further yield?

Mr. VANDENBERG. In just a moment.

Therefore, I insist, upon the basis of this official exhibit, that we are not contributing to world comity in respect to trade when we enter this amazing business of trying to out-bluff our neighbors in respect to tariff deals.

I yield to the Senator from Missouri.

Mr. CLARK. I do not wish to interrupt the Senator, and I am very sorry if I have caused the Senator to repeat by coming into the Chamber after he had opened his address; but this much is certainly true, that the United States has been the aggressor in this tariff war. The other nations of the world never started this tariff bargaining business until they had been forced to it by the example set by the United States in a system of so-called "bargaining tariffs", but actually prohibitive tariffs. We are responsible for this whole system of bargaining tariffs, and we can only unravel the ball by beginning at the end where it was begun.

Mr. VANDENBERG. First, I want to assure the Senator from Missouri that I welcome his interruptions. It is such a novelty at the end of 10 days to hear an occasional voice on the Democratic side of the aisle in even casual defense of this dangerous measure, that I want to assure the Senator that I would encourage it no matter how much it might disarrange the continuity of my discussion.

Second, I think there is available proof that what the Senator says about the existing American tariffs is without warrant. It happens that the exhibit which I now submit to the Senate was the next thing in continuity that I proposed to present in defense of the thesis which I am submitting. I do not believe our American tariffs inspired Europe's tariff wars and walls. I think they started through a continental anxiety to prevent the payment of German reparations in goods, in commodities. I think they continued under the impulse of their own rivalry, as reported in the Tariff Commission document to which I have adverted. I think, further, that it is easily provable that our American tariff rates are not the exorbitant duties to which our Democratic friends love to refer—always, however, in the abstract.

Mr. President, since the 4th of March 1933 the President of the United States has had at his beck and call a United States Tariff Commission, which we are advised by its Chairman is so completely subservient, and so anxious to be completely subservient to the Executive disposition, that it would do almost anything the President might wish. I think that is no exaggeration of the accommodating Mr. O'Brien's testi-

mony before the House Ways and Means Committee and the Senate Finance Committee. In other words, in spite of the law which textually requires the Tariff Commission to assess its judgments according to the difference between the cost of production at home and abroad, we have been advised that this Commission would find some way to make a recommendation for a lower tariff if the President would just indicate that he wanted it. Very well. Now, what has happened?

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Mississippi.

Mr. HARRISON. Does the Senator not think it is fair to state that Mr. O'Brien was first appointed by a Republican President, and that he was supposed to be a Republican?

Mr. VANDENBERG. Yes, I think that is true; and before that he was Grover Cleveland's secretary.

Mr. HARRISON. Well, he got away from the straight and narrow path.

Mr. VANDENBERG. Whatever he was, Mr. President, at the moment I suspect that he would even be willing to do what Professor Tugwell wants him to do if he were asked; and Professor Tugwell said the other day—I had the reference here, but it is mislaid—that there was not any rate on any industry which he did not think ought to be removed. He said no industry is entitled to support by a tariff; and he, by the way, will sit with the supergroup, which will be the President's tariff cabinet, under this bill, sitting in drum-head court martial upon the destiny of American industry and agriculture.

So here we have this Tariff Commission which has been perfectly willing to do anything that President Roosevelt wanted done in respect to lowered rates during the past 14 months.

All right; what has happened? How many rates have been lowered, Mr. President? How often has this so-called "iniquitous tariff protection" been dynamited by these new forces of economic virtue? How often during these 14 months have we had the reductions which will relieve the Nation from this exploitation to which the Senator from Missouri refers? Well, we had it once in connection with sugar, but in that instance it was offset by a compensating proposal of a processing tax, so that is not a clear indication.

Except for that one instance, the only two changes downward that have been made from this so-called "iniquitous" tariff during these 14 months, when the situation has been completely in the command of the President and his party—the only two revisions downward are on hay and manure forks. If there can be a major crisis made out of that, Senators who can do so have a better imagination than I have. And it has a significance as bearing upon the particular thing which we are discussing this morning.

Mr. FESS. The Senator ought to state in this connection that under the tariff law of 1930, of the changes made in rates on the recommendation of the Tariff Commission and the action on the part of the President, 16 percent, as I recall, were increases and 30 percent were decreases. So there were many more decreases than increases. That was under the administration prior to the present one. So the suggestion that there is no interest except in increasing the tariff is not carried out, because the major operations have involved decreases.

Mr. VANDENBERG. I thank the Senator for his correct observation.

Mr. HEBERT and Mr. CLARK addressed the Chair.

Mr. VANDENBERG. I yield to the Senator from Rhode Island.

Mr. HEBERT. I observed, in reading a statement made by the Chairman of the Tariff Commission, Mr. O'Brien, before the Ways and Means Committee of the House when this measure was there under consideration, a table showing the total number and the description of the different commodities which were considered for revision upward or downward by the Tariff Commission since 1930 down to date. They are 111 in number, and of those the Tariff Commission recommended increases in 20 instances, it recom-

mended decreases in 26 instances, and in the remaining 65 instances they left the duty just where it was.

Mr. VANDENBERG. I thank the Senator.

I again yield with great pleasure to the only Democratic Senator who has invaded this debate in about a week.

Mr. CLARK. Mr. President, there will be plenty of remarks on this side.

Mr. VANDENBERG. I hope the Senator is a true prophet.

Mr. CLARK. We wanted, however, to accord the fullest opportunity to our adversaries to fill up the Record and delay the consideration of this bill as much as they pleased. Now that we have arrived at approximately a time to vote, there will be plenty of discussion of the subject on our side of the Chamber.

I simply want to explain to my friend from Michigan that it is apparent that I did not make myself clear to him a moment ago. The point I was trying to make was that, having been the aggressor in this retaliatory tariff war, it is now impossible for the United States to correct the situation merely by reducing tariff rates. By establishing prohibitive duties ourselves, we have caused other nations to establish prohibitive duties; and, whether the duties are prohibitive or not, we cannot correct that situation merely by a reduction of rates.

Personally I would prefer to have Congress enter on a scientific revision of the tariff, not by means of a general tariff bill, affording opportunity for logrolling and for trading and for chicanery which have made the whole tariff-making system of the United States disgraceful for so many years, but a revision schedule by schedule. But even a revision schedule by schedule, in the absence of reciprocal action by other nations, would not correct the situation which we have created by our own folly, because the situation of prohibitive tariff rates which we have ourselves created cannot now be corrected by our action alone.

May I say—and I am not going to interrupt the Senator again—that so far as the findings of the Tariff Commission are concerned, I, for one, wholly refuse to be bound by them, because it has been demonstrated time and again under the Republican administration that the Tariff Commission appointed by Republican Presidents was subject to Executive control and that its findings should not be taken as a matter of course.

Mr. VANDENBERG. Is the Senator opposed to tariff commissions that are under Executive control?

Mr. CLARK. I am opposed to the present Tariff Commission set-up, yes; in other words, if the Senator wants a blunt answer, I will say that I am opposed to tariff commissions under Government control.

Mr. VANDENBERG. Precisely, and the Senator stands squarely upon his own Democratic national platform when he makes that candid response. It is exactly the response I would expect from the Senator from Missouri, and his position and the position of his party platform are just 100 percent diametrically opposed to the legislation which we are now asked to swallow, willy-nilly, without even a chance to look at the Colombian Treaty, which is supposed to be a model typification of what we are asked to do.

Mr. CLARK. I disagree with the Senator that my position and the position of the Democratic national platform are in any manner opposed to the pending bill. I am perfectly willing to have a fact-finding commission to submit facts to the President for his information, and that is not in the least inconsistent with giving the President the power to bring about by negotiation what cannot be brought about in this stage of the world's competitive tariff war by legislation. I thank the Senator for his courtesy.

Mr. VANDENBERG. I thank the Senator for his contribution; it is refreshing to hear an occasional Democratic voice. I want to revert, before I forget it, to his repeated statement that we have been responsible by our tariff policy for what has happened in Europe; and I want to refer him again to and prayerfully ask him to please get a copy of Senate Document No. 7, of the Seventy-third Congress, first session, and read the United States Tariff Commission's

unequivocal statement that ever since 1919 what has happened in the Old World is unrelated to our tariff policy but is primarily a reflection of this very bargaining back and forth, which has resulted in what is called the "padding process", one country padding its rates up in order to have something to bargain back down, and the other country padding its rates up in order to have something to bargain back down. We have padded nothing, if we accept the cost-of-production theory, which I insist is the American theory. We have padded nothing, as demonstrated by the fact that the Tariff Commission in 14 months could find only hay and manure forks as having rates greater than the actual differential in the cost of production at home and abroad. We have not been responsible for the tariff wars in Europe, according to our own Tariff Commission. As indicated in this official document, the tariff wars in Europe are the direct reflection of the precise tariff policy which we are now asked to embrace and embark upon, to wit, efforts at reciprocity bargains.

Mr. CLARK. I said I was not going to interrupt the Senator again.

Mr. VANDENBERG. The Senator need not apologize.

Mr. CLARK. But I should like to have the Senator yield for just one further remark. I have read the document to which the Senator refers, and I have read the passage to which he refers, but I refuse to be bound by a conclusion of the Hoover Tariff Commission.

Mr. VANDENBERG. Mr. President, this may be the Hoover Tariff Commission, but this report is signed by the Chairman of the Hoover Tariff Commission, who made the amazing statement to the House Ways and Means Committee and to the Senate Finance Committee, in effect, that he would do anything that President Roosevelt wanted him to do.

Mr. CLARK. Mr. President, I hope the Senator is not going to hold the Democratic Party responsible for anything that might be said by the appointees of former President Hoover.

Mr. VANDENBERG. I am going to hold them responsible for the pending bill now and hereafter, and so are American business and American industry and American agriculture.

Now, let me go on with what I intended to be but a brief discussion of the inevitable deduction to be drawn from the statement of Governor Gardner in the Sunday press, descriptive and analytical of the President's action upon Saturday in increasing the tariff duty on rugs.

If the President's action upon Saturday, plus the illuminating analytical statement of it by Governor Gardner, plus the fact that the Tariff Commission in 14 months has only been able to identify two insignificant products upon which the existing tariff is too high—I say that the inevitable conclusion from that series of facts is either that tariff rates cannot be reduced in the United States and bargains thus made, or if the rates shall be reduced and bargains thus made, some American commodity, industrial or agricultural, will be deliberately destroyed.

This is the first tariff debate, Mr. President, in which anyone has dared to presume that any public official intended deliberately to destroy an American industry. I want to absolve, in my own mind, the President of the United States from wittingly engaging in any such philosophy, but I cannot immunize his tariff advisers from the direct charge that they are willing to destroy any American industry or any American agricultural commodity which in their Olympian judgments are considered inefficient or expensive, those being the two words of fatality which they use in cracking down upon their intended victims. This is the first time we have ever had a tariff debate contemplating the exercise of a power for the destruction, the deliberate destruction, of an American commodity, either industrial or agricultural. We have it literally and by text in the present instance.

When the Senate votes for this bill, Mr. President, it, therefore, votes for either one or the other of these alternatives to which I have referred; either it votes for a futility, on the theory that the power cannot be used, since rates can-

not be reduced on industrial or agricultural products, or it proceeds on the theory that it is willing to have some American commodity destroyed. I submit that it is utterly untenable for us to proceed in contemplation of either theory.

Mr. President, I add, in supplement, that it is not necessary to create this new power in order to get free list bargains, which is the one point at which, it seems to me, tariff bargaining might be logical. If we are correctly informed regarding the implication of the so-called "Colombian Treaty", which this coordinate treaty-making power of the Government is denied a chance to inspect, it involves nothing more than the freezing of the free list. It was a bargain made at least 4 months before this bill was written and at least 6 months before this bill will become a law. Therefore, the administration has demonstrated for itself, under the leadership of the President, that it can deal with the free list effectually if it wants to without asking Congress for this amazing surrender of the tax and treaty power.

I repeat, it is not necessary to pass this bill in order to create a tariff-bargaining power in respect to the free list. It is not necessary to pass it in order to contemplate an increasing American export trade either, Mr. President, as demonstrated by the figures submitted by the United States Automobile Chamber of Commerce, which show that during the last quarter the automobile exports increased 100 percent, which is a fairly encouraging percentage, without any thought of bargains or any attempt to make them. To attempt export encouragements by this particular method is to invite a chance of net loss quite as much as a chance of net gain. I demonstrated this fact 10 days ago and no apologist for the bill has tried to answer.

So it seems to me that we are driven to this inevitable conclusion in contemplation of the bill. We cannot apply it to agriculture, because the President himself has said that it would be "absurd"—that is his word, not mine—"absurd" to reduce any agricultural tariff rates. So we cannot apply it to agriculture.

We cannot apply it to industry except as we would ruin industry in whatever aspect we attack it, as I have previously demonstrated by my analysis, and we dare not do that, and neither would the President dare do it when he gets this power.

Here we are, then. This power cannot be used legitimately in respect to agriculture. It cannot be used legitimately in respect to industry. It is not needed in order to deal with the free list.

Then why pass the bill? Where, then, Mr. President, is the compensation either to the American Congress or the American people? Where is the compensation, first, for multiplying utter uncertainty in the American economic world, since no industry and no agricultural commodity may know what morning it shall be marked for slaughter?

Second, where is the compensation for creating an insufferable precedent in maximum bureaucracy—secret bureaucracy most of the time—ruling the lives and livelihood of the American people?

Third, where is the compensation for consenting literally to a Fascist dictatorship in respect to tariffs, because we are advised by Italy that it is the fundamental Fascist philosophy that one-man control of the economic life of a nation is prerequisite to Fascist perpetuation?

Fourth, where is the compensation for violating the spirit, if not the letter, of the Constitution of the United States in respect both to the taxing power and the treaty power?

Where is the Republican compensation for deserting the fundamental theory of protection upon which three-quarters of a century of American prosperity in factory and farm has been built?

Where is the Democratic compensation for deserting the theories and the philosophies to which that party has subscribed its faith these many years, to say nothing of its 1932 platform?

Where is the compensation, Mr. President, in conclusion, for those of our able colleagues across the aisle who now turn their backs upon the urgent and earnest appeal which

they uttered to the Nation against the limited use of a limited flexing tariff power now existent, a flexing power which has been approved by the Supreme Court as constitutional and which involves no subletting of congressional power to a degree which invades the spirit and the letter of the Constitution?

Where is the compensation for their turning their own backs on their own warning to their own countrymen 4 years ago? I read in conclusion just one exhibit, the tremendous appeal signed at the time by the then Senator from North Carolina, Mr. Simmons, the Senator from Mississippi [Mr. HARRISON], the Senator from Utah [Mr. KING], the Senator from Georgia [Mr. GEORGE], the Senator from Massachusetts [Mr. WALSH], the Senator from Kentucky [Mr. BARKLEY], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Texas [Mr. CONNALLY], as follows, this being the peroration of their appeal to the Nation:

In an age where there has been a steady tendency to rob the individual citizen of his power and influence in his government through bureaucracy, we deem it our duty to vigorously protest any further encroachment in this direction and especially with respect to taxation. In the hope of arousing the people, regardless of party, to take a broad and public view of this important public question, we make this appeal.

Mr. President, in direct paraphrase of the appeal, I address the Nation in the same hope on the same plea in behalf of the Constitution of the United States and the welfare of the American people.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

RECIPROCAL TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. LOGAN. Mr. President, there has been so much dramatic argument on the tariff bill in the Senate during the last 2 weeks that I feel I ought to talk about the matter in a very simple way for a brief period of time. I never could understand how a man could grow eloquent over a subject as dry as taxes or the tariff. I believe that perhaps, unintentionally of course, some harm has been done to the country by the discussion on the part of some Republican Senators. They have expressed fears which I believe do not exist to any very great extent in their own minds.

Mr. CLARK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. PATTERSON in the chair). Does the Senator from Kentucky yield to the Senator from Missouri?

Mr. LOGAN. I yield.

Mr. CLARK. I do not wish to interrupt the Senator, but I notice he uses the term as being in contradistinction, "taxes or the tariff." I am sure the Senator will agree with me that the tariff is nothing on earth except a tax, whether it goes into the Treasury of the United States or into the pocket of some tariff-protected concern.

Mr. LOGAN. I thank the Senator for making the suggestion, because I did not say what I intended to say. Of course, the tariff is a tax, the worst tax that ever has been invented by man. A protective tariff, in my judgment, is the most indefensible thing in the whole world. What I meant to say was "a discussion of taxes or the regulation of interstate commerce", which is quite a different thing.

I listened with very great interest, as I always do, to the speech of the Senator from Ohio [Mr. FESS]. It caused me to think how small things sometimes change the very course of a man's life. There is a place in the Rocky Mountains of Canada where a stream rises some 10,000 or 15,000 feet above sea level. It started toward the Pacific Ocean as a tiny stream, but there was a little boulder in its path which diverted it and it went around through a little sink and over to the other side where it eventually reached the Atlantic Ocean. If it had not been for that little boulder there would have been a great gulch or canyon over the mountain down toward the Pacific cut by the stream. But in view

of the fact that the boulder diverted the course of the stream the canyon is on the other side, toward the Atlantic.

I have thought frequently if the distinguished Senator from Ohio had continued as a teacher in some great school throughout the years instead of coming to the Congress of the United States, that instead of his becoming associated with Republican statesmen, instead of having his trend of thought diverted, I believe most sincerely that he today would be one of the leading "brain trusters" advising the President of the United States. The Senator shakes his head, as much as to say that he would not; but I remind him that he cannot tell what he might have done if he had not come under the influence of such distinguished statesmen as Uncle Joe Cannon and many others whom I might mention.

In his speech the other day the Senator spoke frequently of revolution. He read from a book or books written by Mr. Tugwell, in which the word "revolution" was actually used. Because our friends on the Republican side, and probably some on this side, have talked about revolution and have mentioned revolution so frequently in these debates, the people have become somewhat alarmed. Particularly do they become afraid when a distinguished conservative Senator like the Senator from Ohio speaks of revolution.

I should like to remind the people of the country and the Senator from Ohio that he need not apprehend any difficulty in the use of the word "revolution" as it is used by some of our modern writers on political economy and on questions of government and governmental regulations. I desire to remind the people of the country that when we go back to the Declaration of Independence itself we find that revolution is written into it as one of the inalienable rights of the people; and we have never been afraid of the Declaration of Independence. I should like again to call attention, for the RECORD, to the language of that immortal document, which, so the Supreme Court has said, is as much a part of our laws as the Constitution itself. It is a document which has been quoted by those who have discussed government more, perhaps, than any other document that has ever been written in all the world.

I should also like to remind the people of the United States, as well as the United States Senate, that the Declaration of Independence was prepared by a group of young "brain trusters" who were trying to find some new way to build a government that would protect the rights of the people; and so the idea of having experts, men who have given particular thought to particular questions, is not new in the life of our American Republic.

When Thomas Jefferson and other members of the Continental Congress conceived the idea of preparing a Declaration of Independence, it was drafted and was adopted by those men who were thinking in revolutionary terms.

Now, let us see just what rights we have, as expressed in the Declaration of Independence:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness.

When a people have been denied the pursuit of happiness by any government or by any law, they have been denied one of the inalienable rights guaranteed to them by the Declaration of Independence.

That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends it is the right of the people to alter or to abolish it and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Maryland?

Mr. LOGAN. I yield.

Mr. TYDINGS. I admire the courage of my friend from Kentucky. I wish to call his attention, however, to the fact that he is likely to be arrested for reading that very inflammatory document.

Mr. LOGAN. I thank the Senator, because, after listening to the debates on the other side of the Chamber for the past few days, one would believe that it was treason—I believe some of the speakers have used the word “treason”—to talk about changing anything in our Government that does not square itself with the ideas of those who have come to believe that Government rests with a few who should act as trustees for the whole people of the United States.

I shall not stop, however, with the reading merely of the Declaration of Independence. At that period of time in the history of the Nation men thought more clearly about political matters than they do today. It is true that they did not have so much to think about. It is true that they did not have the complex civilization which we have at the present time. When we stop to think that George Washington never saw a railroad train, never saw a steamboat, never talked over a telephone, never saw an automobile, never thought of such a thing as the radio, and a flying machine was something that it had been determined by the scientists could never be invented, we know how little the people in 1776 knew about the problems of today.

No one believes more sincerely than I that we must take the principles which they announced in those days, which seem so far in the distant past to us now, and apply them to new conditions which have arisen, because in no other way can government exist.

The right of revolution has been talked about in a book written by Roger Sherman Hoar. The name does not sound like that of a man who would be very progressive in his ideas, or very liberal in his views. I should judge that he comes from the State of Massachusetts. He had something to say on the question of revolution as it was understood in the old days; and I should like to call attention to a few things which he said in this book. He discusses the making of constitutions, and then says:

But as the science of government became better understood, and the great doctrine of the right (not merely the power) of the people to change their government was promulgated, it was found that it was not necessary to resort to revolution in order to change or modify government, but that such changes or modifications might be made as peacefully, as orderly, and as legally as any ordinary function of government could be exercised.

He was quoting, it is true, from another author, Braxton; but he quotes with approval the language I have just read; that is, that the people can change and modify their government in a perfectly peaceful manner; that it does not require the overturning of government by riots; it does not require the overturning of governments by armies; but, so this author says “revolution”—the word which has been used by some of our modern writers—can be brought about by changing or modifying the government, and still remain within constitutional provisions.

Now I should like to quote from the same author as he quotes from the Reverend William B. Greene:

It is not necessary—

Said Mr. Greene—

In order that there be a revolution, that there should be bloodshed, powder burned, and other attendants of war displayed. A revolution may take place peaceably, and if the right is once recognized in a country, it should take place peaceably, because in the recognition of that right is also the recognition of the duty of obedience upon the part of the Government.

So I remind those who are so afraid of the word “revolution” when it is used in its proper sense that those who adopted the Declaration of Independence, and those who wrote the Constitution of the United States, did so with the principle always in the back of their minds that the people had the right to change or modify their Government when it was not so administered as to bring happiness to the people.

Now I desire to refer to a treatise on government by Mr. Holcombe and show what he thinks about revolution.

He quotes from someone—I do not know the author, neither does he give his name; but he quotes from someone—who wrote in the old days about American Government, and he referred to revolution as “the sacred right of revolution.”

He said, also:

It is asserted in a more philosophical manner in the Massachusetts Declaration of Rights of 1780.

Let me take occasion to say now that nearly every constitution that was adopted prior to 1800 contained in it a provision that the people had the right to change their government in any way that they deemed necessary to bring the blessing of happiness to the people.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. POPE in the chair). Does the Senator from Kentucky yield to his colleague?

Mr. LOGAN. I yield.

Mr. BARKLEY. Is not this ability and facility for changing gradually and peacefully the agencies as well as the forms of government one of the things that will ultimately prevent revolution by bloodshed; for if the people could not obtain their rights by peaceable methods they would be driven to the more forcible way of bringing it about?

Mr. LOGAN. My colleague has mentioned only that which was in the minds of the makers of our Constitution. Where there had been a government of tyranny, where there had been a government that was autocratic, there was no way for the people to change or modify the government peaceably.

Consequently, that condition led to revolution by bloodshed, and by powder and ball, as one of these writers has said. But our fathers, be it said to their great credit, and to their everlasting fame, were trying to build a government which could be changed to meet emergencies as they might arise. They were trying to adopt a constitution which would fit into every emergency, and they made ample provision for the people to change their Constitution if, perchance, some emergency should arise which had not been foreseen by them.

I should like to refer again to the book written by Mr. Holcombe when he quotes from article VII of the Constitution of Massachusetts, which was adopted in 1780:

Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of men: Therefore the people alone have an incontestable, inalienable, and indefeasible right to institute government; and to reform, alter, or totally change the same when their protection, safety, prosperity, and happiness require it.

Mr. President, that constitution was adopted in 1780, and at that time the people knew what the fathers meant when they wrote the Declaration of Independence, and when they were getting ready to write the Constitution of the United States. The political philosophy of that day was well known.

The Constitution of Kentucky was adopted in 1792. It contained almost exactly the language which I have read from the Constitution of Massachusetts, adopted in 1780, but there was a headnote, a catch line, to that particular section, written by the constitutional convention itself, which said, “The right of revolution shall never be denied.”

Mr. FESS. Mr. President, will the Senator yield to me?

Mr. LOGAN. I yield.

Mr. FESS. I do not think anybody would contest the theory that the people have the right of revolution. That is fundamental, it is elemental, and I would not think anyone who had any conception of the growth of government would deny that right. It is essential, fundamental, with us, as has been stated by the Senator from Kentucky reading from the Declaration of Independence and also from the other documents, in reference to State constitutions.

My concern is not that the people have no right to change their government, not that; I concede without a minute's discussion that they have that right. We have established a government, and, unlike any other modern government, have a constitution, which limits power and is a guide to this body, given in the letter of instructions, given to the people through the Constitution, which is the letter, and it is my belief that if there are people who talk of revolution in the United States it ought not to be those who have taken the oath of office to preserve, protect, and defend the Constitution. Let the advocate of revolution proceed in

orderly ways, but let any man who wants to change the Government first resign if he holds public office, and not proceed while under the obligation of his oath of office to preserve the Constitution. Let him resign and proceed to foment public opinion back of his theory of revolution, and I shall say nothing about it; but when we have men committed to the Constitution talking revolution, I draw the line.

Mr. LOGAN. Mr. President, I have great respect for the great Senator from Ohio as a learned man, one familiar with all these matters which I am simply mentioning in passing; but his statement shows that the little pebble that diverted his course in his method of thinking has operated to such an extent that he really has misconstrued the inherent powers which are fundamental in all of our governmental papers which give us a national life. He suggests that a man should first resign and then say he is going to attempt to change the Government, and that the Members of the Congress ought to be the last men to mention revolution.

The Senator is in error about that. The very body that would bring about a revolution—within constitutional limits, of course—is the Congress of the United States. It is true that in the making of laws, it is true that in the exercise of the authority this body has, it may bring about such a revolution as was referred to in the Declaration of Independence; but, of course, it must be within the limits of the Constitution. We can do nothing outside of the Constitution itself. We can pass no law that will have any binding effect if it is not within the provisions of the Constitution.

When our Constitution was adopted, this body was set up to make laws to carry into effect the purposes stated and the powers granted in the Constitution. That power was vested in the Congress. It is our duty to do that. Perchance we might trespass and go beyond the limits of the Constitution; but the Constitution itself has set up a court which has the authority to determine whether we have done that or not; and so long as we have a government with a legislative body authorized to make laws and a court to determine whether or not those laws are constitutional, talk about a revolution that is not within the Constitution, of course, is foolish.

Mr. FESS. Mr. President, will the Senator yield further?

Mr. LOGAN. I yield.

Mr. FESS. I think there may be a confusion in the mind of the Senator and in my mind over the word "revolution." If the Senator means changes within the limits of the Constitution, that is not revolution, as I see it. He is speaking now about changes which must be made within the limits of the fundamental or organic law, the Constitution. I have in mind, when I talk about revolution, the definition of revolution that is accepted throughout the world, a fundamental change in political organization, or in government, or constitution, the overthrow or renunciation of one government and the substitution of another by the people. That is the accepted definition of revolution. If the change is within the confines of the Constitution, it is not revolution. I think there is a confusion in my mind and in the mind of the Senator from Kentucky.

Mr. LOGAN. Revolution in its broader sense means only change, that is all, and there can be a peaceful revolution within the Constitution which has been adopted. We can change our methods of government, we can change our methods of administering the affairs of a government within our Constitution, and I say to the Senator from Ohio that all the talk about a revolution that has frightened some of the people who do not understand these matters as well as does the Senator from Ohio, that all the things which have been said to arouse suspicion, ought to be answered by this one statement, that neither the Congress, the President of the United States, nor any bureau or department, can do anything with our constitutional government that is not in accord with the Constitution itself, and when anyone undertakes to say that we have denied the people their constitutional rights by any legislation which has been enacted, it shows that he is unfamiliar with the Government, that

he is unfamiliar with the history of our Government, that he is wholly unfamiliar with our plans and theories of government.

We cannot pass a law that will take any power from the Congress, we cannot pass a law that will take any rights from the people, we cannot vest anything or take away anything unless the action is authorized by the Constitution itself. So why should we broadcast to the world from the Senate Chamber that the rights of the people are being taken away from them by legislation which is enacted by the Congress, when everyone who makes a statement of that kind must know that we can take no constitutional right away from the people, or away from anyone, nor can we vest any right that is contrary to the Constitution?

Since the Senator from Ohio [Mr. Fess] confesses that there is a right of revolution, I will not pursue the question further, except to say that nearly every State constitution, even down to the present day, has guaranteed to the people of the State the right of revolution, in that they have a right to change their government in such manner as they may think is best; but, since the Federal Government was established by the Constitution, as is said by some of the writers, there can be no revolution in a State, because if there be any revolution it must be a revolution by or within the Federal Government.

Those things are self-evident; they are so clear that there can be no reason for anyone to place in the minds of the people of America the thought that the Congress of the United States is taking rights away from the people. That it cannot do, and every Member of the Senate knows that it cannot do a thing of that kind.

Mr. FESS. Mr. President, will the Senator further yield?

Mr. LOGAN. I yield.

Mr. FESS. Does the Senator regard the change in government in Germany as a revolution?

Mr. LOGAN. I am not sufficiently familiar with the government of Germany to be able to determine that question. If they simply changed their government without abandoning their constitution or constitutional principles, then it was a revolution within the constitution. There are revolutions by force, and there are revolutions by reason of changes or modifications made which are not in violation of the fundamental principles of existing government. There are fundamental disagreements as to what may be done under the Constitution, and when the Senator from Ohio and I disagree, then there is a tribunal established by the Constitution to determine whether he is right or I am right. If, perchance, it is determined that he is right, then what I did or what I said counts for nothing; and if it is determined that I was right, then what he may have done or said counts for nothing.

My point, let me state to the Senator from Ohio, is that there cannot be taken away from the people any right that is guaranteed to them by the Constitution, and to say that such has been done, or that such we are trying to do, or that such we will do, is unfair as an argument to be sent to the people of America to be read and to be considered by them.

I also say that it is unfair to take some book expressing some theory of government, which does no more than express the same ideas and principles of government that were expressed by Thomas Jefferson or by many others who had made a study of political philosophy, when our Government was established, and to brand the author as a Communist or with some name that means that he is a traitor to the Government, when he is doing nothing but repeating what has been said from the foundation of this Government down to the present time.

Mr. FESS. Mr. President, I have been trying to arrive at what the Senator means by a revolution within the Constitution, and I wanted a concrete example. I regard what is taking place in Italy as a complete revolution in government. I so regard also what has been done in Germany, although it was not done by means of bloodshed. And even in Germany what was executed as a coup d'état was afterward endorsed by a vote of the people of Germany. I wondered whether

the Senator in his discussion of revolution would state that he regarded either one of those two cases as being revolution? I would so regard them.

Mr. LOGAN. I am not talking about a revolution by force.

Let me give the Senator a concrete example. We are discussing it now. It is germane to the subject. For almost 100 years—for perhaps more than 100 years—Congress has been attempting to enact laws providing for a protective tariff on certain industries. That movement grew and developed until the rights of the people had been taken from them, perhaps rights guaranteed to them by the Constitution if it should be properly applied. This idea of shopping about and bargaining about to make tariff laws so that some may be made immensely rich by pilfering the pockets of the poor has become so notorious that it is a stench in the nostrils of the civilized world.

That has gone on until there are those today who believe in that theory of government, who believe it is right that we ought to make certain owners of industries rich and powerful because they will act as trustees for the people, and they will see that good wages are paid, and that the people are fed, and that the people are clothed.

That idea of government has gone so far that it has become a part of the very being of many of our old, conservative statesmen. They believe that is right, just as much as I believe it is wrong. They are entitled to their opinion. Now we are proposing to bring about a revolution in respect to that very condition.

What is the revolution? We will stop, if we can, the unfair practices which have been engaged in in the past, and we will endeavor to find a better way to protect the rights of the people. I do not know whether we are going to find it or not. I do not think that in this bill we are dealing with the tariff so much as we are dealing with something else, and I shall discuss that in a few minutes.

Personally, I know it is wrong for Congress to make rates in a tariff law. I know that Congress cannot intelligently do it. I have never been here when a tariff law was made, but I have read about it. I know a little about the tariff. It is a matter which should have been removed from politics many, many years ago. I think now that we ought to have a Tariff Commission appointed to serve 15 years or longer, which shall be entirely free from all political influence, and that it should deal with the tariff in a scientific manner so as to do that which would bring justice, insofar as possible, to a majority of all the people.

Mr. FESS. Mr. President, will the Senator yield?

Mr. LOGAN. I yield.

Mr. FESS. I see that the Senator's view of revolution and mine are not alike if the Senator refers to a change in the policy of tariff as a revolution. It is a revolution in policy, it is true, but that is not the type of revolution we are talking about when we are referring to the injection of certain practices that are disturbing the relationship between the executive branch and the legislative branch. Although what is done is done without bloodshed, although no force is used when we change the very character of our institutions of government, I call that revolution. But when we speak of a change in policy such as a change in the tariff we are referring to a revolution in policy only. I think we are confused in what we refer to when we talk of revolution.

I cannot believe that the Senator would differ from my own views in that regard. My view is that even though it be done in a perfectly peaceful manner, if gradually the proper relationship between the coordinate departments of the Government is undermined, and ultimately one department is made the major or the prime governmental force in American life, that is a change in the very organic life of our Government, and I would count that in a sense a revolution, although it is not a bloody revolution, and no force is used in accomplishing the purpose. That is what I had in mind when we were speaking about the change in Italy and the change in Germany. I am concerned about such revolution.

Mr. LOGAN. May I ask the Senator if he thinks there can be such a thing as a revolution unless there is a violation of constitutional rights?

Mr. FESS. When I use the word "revolution" I mean a violation of the organic law and not action in pursuance of it. The former would be a revolution in government in our country.

Mr. LOGAN. Then, if it be a violation of our organic law, does not every citizen in the United States have a plain and adequate remedy to protect himself against such violation of the Constitution through the courts?

Mr. FESS. So long as the Constitution holds; but when the revolution goes to the point of a breakdown of the Constitution the courts go with it.

Mr. LOGAN. The Senator in speaking the other day reached the point where he maintained that our courts were about to break down, that citizens would have no place to go, and if we passed laws which were unconstitutional there would be no relief the people could secure against our unlawful acts. Was that the idea of the Senator?

Mr. FESS. The only guarantee we have in this country is the guaranty written by the people in the Constitution of the United States. If the Constitution of the United States is broken down the guaranty is gone.

Mr. LOGAN. Will the Senator point out to me at this time a single law that has been passed by the Congress, or a single bill now pending, which takes away a single constitutional right from the people?

Mr. FESS. Yes; the power given to an individual to tax the people is a violation of the Constitution.

Mr. LOGAN. If that is a violation of the Constitution, then we have taken no right away so long as we have a court to determine that we cannot do such. Is not that true?

Mr. FESS. Provided the courts do not go along with the break-down of the Constitution.

Mr. LOGAN. Then, if the court goes along, we have no other body to interpret the Constitution except the court, and the Constitution is what the court says it is. Is not that true?

Mr. FESS. And then you will have the full fruition of complete revolution, where everything is gone; and the decision in the Minnesota case leads many of us to think that the Supreme Court drifts along with the current.

Mr. LOGAN. If we have reached the stage in our national life where we cannot trust our courts, where we cannot trust our Executive, and we cannot trust the Congress, of course, I should say that that is not revolution, that is oblivion, that is absolutely passing out of existence, simply because the people have no desire to resort to the court or to the Congress or to their Chief Executive. The Senator from Ohio, then, bases his entire argument that we are approaching a revolution upon the statement that he does not believe the courts are going to function; but we have, so far as the Supreme Court is concerned, in the main, the same Court that we have had for a quarter of a century. It functioned back in the good old Republican days, and nobody was afraid of the Court at that time. Why should the Senator from Ohio be afraid of the Court now? It is the same Court; it has the same Constitution, and it has all the powers that it ever had. Why should the Senator from Ohio be afraid of the Court that we have had so long?

Mr. FESS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Ohio?

Mr. LOGAN. I yield.

Mr. FESS. Does the Senator look with entire satisfaction, the lawmaking authority having been granted to this body, that it should delegate its authority to one man and thereby establish a government by one man rather than a government by law, as has been the case where we have authorized the antitrust laws to be suspended temporarily by the substitution of agreements entered into by interested parties, with the approval of the President, such agreements being regarded as fair trade practices, and becoming the law of the land, the violation of which is to be punished by a penalty

assessed without trial in the courts of the land, but in accordance with the decree of the director as to whether the law has been violated or not? Is the Senator capable of looking with perfect complacency upon a movement such as that at the present time?

Mr. LOGAN. Let me say to the Senator from Ohio that whether I look upon it with complacency or whether I do not is entirely beside the question.

Mr. FESS. No.

Mr. LOGAN. If the Constitution gives the Congress the right to vest someone with such authority, then no one has any right or any reason to complain if the Congress does it. If the Congress did it under the mistaken belief that it had the power or the right to confer such authority, then there is the Court that can say we have no such authority. So no right has been taken away from any citizen. If no constitutional provision has been invaded, if the Court upholds such legislation, then it is just a difference of opinion as to whether it should have been enacted or not, but it is not a violation of the Constitution.

Mr. FESS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield further to the Senator from Ohio?

Mr. LOGAN. I yield.

Mr. FESS. I do not think we are getting anywhere; we are arguing in a circle. The Senator says if the Congress has the right to do so-and-so, of course, then it should be done, and it should not be the subject of criticism and would be constitutional. Certainly if the Congress has the right to do this under the Constitution, then it would be constitutional. I claim, however, that the Congress has no right to delegate such power to an individual. The Senator evidently thinks it has, and it is merely a matter of opinion.

Mr. LOGAN. I do not know; I do not say that. I think it has, perhaps, and that is my judgment about it; but, sitting in the capacity as I am at the present time, I do not have the final determination of whether Congress has that right, and neither does the Senator from Ohio. So we have no right to say that Congress does not have any such power. That is for the Supreme Court to determine; and unless the Supreme Court determines that Congress has done an unconstitutional act, then no one has any right to complain; and if it does so determine, no one has any right to complain, because the act is abrogated.

Mr. LEWIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Illinois?

Mr. LOGAN. I yield.

Mr. LEWIS. I ask the Senator from Kentucky, who has long been a very eminent judge, if the able Senator from Ohio has not, in his consideration of very great matters, overlooked the fact that that against which he levels his complaint of some administrative body being given the right to announce a law in conformity with an act passed by Congress, and to enforce it, has been the fixed policy in the very lifetime of the very eminent Senator from Ohio? That point may be illustrated, first, by the action of Congress in giving to the Secretary of the Interior the power to sit in judgment on those who should violate the act of which we speak as the "oleomargarine law." Finding an individual offending, he may impose a penalty against him. Our courts have held that act valid and sustained it.

Second, has not the power been vested in the Secretary of Agriculture to sit in judgment of certain violations and to find individuals guilty and impose a penalty upon them; and has not that act been sustained by the Supreme Court?

Lately the most serious controversy our great administration has had with a great and respectable body of our citizenry has involved some of our soldiers, because of the power vested by the Congress in a board that has a right to hear questions of pension and take upon itself the judgment as to who shall be stricken from the rolls, or his property taken from him, so-called, and who shall be established there, and thus under such circumstance create an act and establish a judgment. Where, in the line of the precedents, is there any difference between these established

precedents and the distinction brought forward by the able Senator from Ohio?

Mr. LOGAN. Mr. President, I thank the Senator very much for what he has said. He has expressed in elegant and intelligent language some of the ideas which I would have expressed if I could have done so as clearly.

Now, I wish to turn my attention for just a moment to the question of the delegation of authority. That is one of the questions which have been discussed by a number of Senators on the other side of the Chamber. The senior Senator from Idaho [Mr. BORAH] delivered a rather impassioned speech on that question the other day. I wish to point out, if I can, for the RECORD, and for those who are interested enough to listen, the errors in what he had to say about the matter. Although he is a great lawyer, and, as said by the Senator from Michigan [Mr. VANDENBERG] the other day, he can always make his voice heard, because he is given wide publicity by the newspapers, I am going to say a few things about his speech, because, in my judgment, it is equally as unsound as the speech made by the Senator from Ohio about a revolution, and that is saying a good deal under present circumstances.

The Senator from Idaho undertook to show, if we vested the President of the United States with authority to promote trade and to regulate commerce with foreign nations, that that was a delegation of the taxing authority. The Senator from Vermont [Mr. AUSTIN] and some of the other Senators have fallen into the same error. I might also say that the distinguished Senator from Louisiana [Mr. LONG] has followed them, and he has made some speeches along the same line, but if the senior Senator from Louisiana should ever find out what this legislation is about, he might really change his mind regarding it.

Now, I desire to call the attention of the Senate to some of the provisions of the Constitution which make it very clear, in my judgment, that Congress is doing no unlawful thing when it delegates the power to the President of the United States to regulate commerce; and that is all we are doing by this proposed act. This is not a taxing measure; this is not a measure providing for the imposition of a tariff; but it is a measure providing for the regulation of commerce with foreign nations, and it is nothing else.

The Constitution contains some very simple provisions that relate to this particular matter. I wish to call the attention of the Senate to some of those provisions. They were mentioned in the speech of the Senator from Idaho the other day, but he completely omitted to enlarge on the one provision of the Constitution which is under serious consideration at this time.

If we turn to article I of the Constitution and examine section 8, we find this provision—and I want the Senate to follow me, because it is rather simple, if we will forget our flamboyant oratory and get right down to the simple language that is used in this simple document, the Constitution of the United States:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises—

For certain purposes.

I would remind some of the Senators, particularly the Senator from Ohio [Mr. FESS], that for a long time it was argued by those who opposed the protective-tariff system that a protective tariff was illegal because there was no power in Congress and the power could not be found in the Constitution to protect industries; that the Congress could only lay taxes and duties to pay debts and provide for the common defense and the general welfare, and that imposing a tariff so that individuals and industries might be protected was violative of the provisions of the Constitution of the United States. That was argued much more extensively than even the question of the delegation of power to the President to impose tariffs has ever been argued by the Senate of the United States.

Mr. FESS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Ohio?

Mr. LOGAN. I yield.

Mr. FESS. Does the Senator recall that the question of the power of imposing a protective tariff was argued under the general-welfare clause in the preamble to the Constitution as being a means to promote the general welfare, and that that gave the authority for the protective-tariff policy?

Mr. LOGAN. Mr. President, I think the Senator is mistaken in suggesting that it came from the general-welfare provision in the preamble to the Constitution. I think it was taken from the general-welfare provision in the section which I just read, which allows the Congress "to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare of the United States." It is true that the courts finally held that it had become a part of the settled policy of our Government to impose a tax to foster industry upon the idea that it was for the general welfare of the Republic; but I suppose everyone in America who ever gave thought to the matter knows it is not for the general welfare.

A protective tariff is for the special welfare of a particular group. But we had a revolution in our Government, exactly the kind of revolution I am talking about, and if the Senator wants a specific and concrete example I would say that when the courts approved the policy of imposing a tax under the general-welfare provision of the Constitution for the good of a special few, then we had a revolution and the courts changed what apparently had been the plain meaning of the Constitution of the United States.

But I must get back to what I started to say. The first power which Congress has which we are to consider at this time is embodied in the first paragraph of section 8 of article I, which is what I have just read, the power to lay taxes.

There is another power of equal dignity, of equal importance, in the same section, which, I believe, is the third paragraph, and which confers upon the Congress the power to regulate commerce with foreign nations.

Then, not in this particular grant of power but under the authority conferred upon the Chief Executive, there is the power to make treaties, subject to the approval or the ratification of the Senate.

Then we have under consideration in the pending bill three constitutional provisions. Perhaps they blend; perhaps there is a twilight zone which separates the one from the other; but there are three great points in the Constitution which we must consider in connection with the bill. One of them is whether we are delegating to the President the power to lay taxes. I say no; that that is merely an incidental power, which is not the purpose of the bill.

The purpose of the bill is to empower the President or to delegate to the President the authority to regulate commerce with foreign nations. That is what we are trying to do. We are not trying to delegate the power to the President to make treaties under the other provision of the Constitution, but we are delegating to him the authority to regulate commerce with foreign nations.

In doing these things we say that he should use the taxing authority which Congress has as an instrumentality to bring about a regulation of commerce with foreign nations.

The Senator from Idaho [Mr. BORAH] the other day in discussing these matters mentioned the authority to tax, which he said we were delegating. He mentioned the authority to make treaties which he said we were delegating. But he only incidentally referred to and passed over without comment the power to regulate commerce with foreign nations, which we are proposing to do by the provisions of this bill.

Let us see what the difference is. A treaty, of course, must be ratified by the Senate. An agreement to regulate commerce does not have to be ratified by the Senate. Do we not have—and I ask this question because I do not know—postal conventions and regulations with foreign governments? The Senator from Tennessee [Mr. McKELLAR], who is Chairman of the Committee on Post Offices and Post Roads, would know about it. We work out agreements with

foreign nations for the carrying of the mails, and about postal rates, do we not?

Mr. McKELLAR. The Senator is correct about that.

Mr. LOGAN. Then, if it be contended that when we make an agreement with some other nation to regulate any matter of business between the two nations such an agreement is a treaty, I say we have been making such postal agreements since the foundation of the Government down to the present time, and nobody ever thought to assert they were treaties.

It may be that in the event of an agreement made by the President with another nation to regulate commerce, Congress would have a right to revoke it by enacting a law denying the authority. But if he should make a treaty, which undoubtedly he could do if he desired, and that treaty should be ratified by the Senate, of course we could not revoke it.

Let us see a little further about the powers of the Congress to regulate commerce. I want to get that in the minds of those who are interested in the question. Read the last paragraph of section 8 of article I of the Constitution. The power to regulate commerce with foreign nations is clearly one of the powers vested in the Congress. Do we have any right to enact any law or laws which are necessary to carry out that power which is vested in the Congress? Let us see if we do:

Congress shall have power * * * to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

When power was given to the Congress by the States to regulate commerce with foreign nations they did not stop there, but said that we should have the full power to enact any law that Congress might deem necessary in furtherance of the regulation of commerce with foreign nations. Congress has determined or is getting ready to determine that we need to regulate commerce with foreign nations. Congress has the right to determine how it may be done, and, in view of the fact that Congress cannot do it itself, it has a right to select its own agency through which the regulation of commerce with foreign nations shall be brought about.

That is in the Constitution. Is that revolution?

Mr. FESS rose.

Mr. LOGAN. I yield to the Senator from Ohio, if that is his desire.

Mr. FESS. Where in the Constitution does the Senator find authority for the President to regulate commerce?

Mr. LOGAN. I am trying my best to tell the Senator. We find it first in the power to regulate commerce with foreign nations expressed in one of the enumerated powers in section 8. The closing paragraph of section 8 provides that Congress shall make all laws which shall be necessary and proper, and that means that Congress, in its judgment, may enact any law it deems necessary to regulate commerce with foreign nations. If the Congress shall determine that the President of the United States or the Senator from Ohio himself, or any other agency which the Congress may see fit, is the proper one to regulate commerce with foreign nations, then the Constitution itself says that Congress has the power to enact the law.

May I say to the Senator from Ohio that that is exactly the point which the distinguished Senator from Idaho [Mr. BORAH] confronted the other day. He argued at great length and with much force that the Field case did not hold that Congress could vest the President with power to make rates, and he argued that point rather successfully, I thought. But there is one thing, may I say to the Senator from Ohio, which the Field case does hold—and no one can escape the conclusion that the opinion of the Court in the Field case holds that the President of the United States may have power delegated to him to regulate commerce, because Congress placed in him the power to deny the importation of certain articles upon certain conditions that might arise. The Supreme Court of the United States held

that Congress properly vested that authority in the President of the United States and that it was purely the regulation of commerce which was invested in the President in that case.

So I might say, in answer to the Senator's question, that I find the authority not only in the plain provisions of the Constitution of the United States but also in the decision of the Supreme Court in the case to which I have referred, interpreting and construing the provisions of the Constitution.

Mr. FESS. Mr. President—

Mr. LOGAN. I yield further to the Senator from Ohio.

Mr. FESS. I have great admiration for the judgment of the distinguished judge from Kentucky, but I admit that he is jarring somewhat my admiration for his judgment unless I have entirely failed to get his premises.

I understand that article I of the Constitution deals with the Legislature, and states expressly what powers the legislative branch shall have. Article II of the Constitution deals with the Executive, and states the authority the Executive shall have. Article III of the Constitution deals with the judiciary, and nothing especially is said about the other two. I cannot understand, however, how the Senator from Kentucky, in reading article I, specifically stating that Congress shall have the power to regulate commerce, can carry that over into article II and say that that means that the Executive may do it.

The Senator knows that the body of the Constitution is a delegation of power by the people. It gives certain powers to the Congress and certain powers to the Executive. I cannot understand how the Senator can read into article II powers that are not granted there.

Article IV of the Constitution deals with limitations upon the Congress and upon the States. An instrument, such as the Constitution, which enumerates the powers that are delegated by the people, places limitations upon this body as well as grants powers to it. In reading the provision in article I that Congress has the power to regulate commerce, how can the Senator ascribe that power to article II, which deals with the President and gives him no such power? I cannot understand the reasoning of the Senator.

Mr. LOGAN. The Senator from Ohio is making an argument against the well-established decisions of the Supreme Court of the United States; but, so that the Senator may never again be mistaken about the power of Congress on this particular subject, let us epitomize the section and leave out everything except the essential parts under discussion, which read in this manner:

The Congress shall have power . . . to regulate commerce with foreign nations . . . and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

Then, if Congress has the power to regulate, it must provide the means of regulation, and it has the power to provide the means of regulation. It has the power to say who shall carry out the edict of Congress; who shall do what Congress may suggest shall be done. If it desires to say that the President, or a tariff board, or some other board, shall carry out its edict, the authority is abundant in article I, giving Congress specific power to do the very thing which the Senator from Ohio says it cannot do.

Mr. FESS. Mr. President, right there Congress has the power to say how its edict shall be carried out. That is the statement of the Senator?

Mr. LOGAN. That is correct.

Mr. FESS. Congress has the power to regulate commerce. The Senator takes the view that the Congress, having that power, can delegate it over to the Executive, thereby abdicating its authority. It has not given any edict to the President. It has given the President ipse dixit power to do as he pleases, upon his own initiative. Is that equivalent to the President having power under article II?

Mr. LOGAN. Congress did that back in the days when the Senator from Ohio was having much to do with legislation. Congress did do something of this kind, and the Supreme Court of the United States said Congress had the right to do it. When Congress said, "We will not presume

to impose a tariff on certain articles that are coming into the country free, but we will delegate to the President of the United States the power to say whether or not these articles shall come into the country free", we gave the President authority to regulate commerce with foreign countries; and when the President asserted that power the Supreme Court of the United States said Congress had a right to delegate that power to him.

If the Senator from Ohio can get away from that plain proposition as to the provisions of the Constitution, and the distinction of the Supreme Court, he is an abler lawyer than I am. That is what the Court said, and that is what the Constitution says.

Mr. FESS. Let me ask one more question, and then I shall not interrupt the Senator any more.

The PRESIDING OFFICER. Does the Senator from Kentucky further yield to the Senator from Ohio?

Mr. LOGAN. I am very glad to yield.

Mr. FESS. The delegation of power which is involved in the pending bill, and which the Senator says is not a violation of the Constitution, would carry with it, as I interpret the argument of the Senator, that since Congress has the power to regulate commerce it can delegate that power to the President. Since Congress has the power to lay and collect taxes, it can delegate that power to the President. Since Congress has the power to regulate customs duties, it can delegate that power to the President. In other words, all the powers that this body has could be delegated to the President, and we could adjourn and go home and be better off.

Mr. LOGAN. Not at all. The Senator again has fallen into very serious error.

The other day when the Senator from Idaho [Mr. BORAH] was discussing the power to lay taxes and the power to make treaties, and avoiding any reference to, or any discussion, I might say, of the power to regulate commerce, he made an attack upon the opinion in the case of Field against Clark, and said that it was not the power to lay taxes that was delegated to the President in that case; and perhaps he was right. I rather think he was right about it. He was wrong about almost everything else he said, in my judgment, but in that I think he was right. Then Congress had delegated to the President the right to do something. What was it? To regulate commerce; and that is all it had done. So the Senator from Idaho seemed to reason out, although he did not say it in so many words, that the Supreme Court upheld the power of the President to regulate commerce with foreign nations; and if that opinion means anything, that is exactly what it means, as I understand.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Idaho?

Mr. LOGAN. I yield to the Senator.

Mr. BORAH. Did I understand the Senator from Kentucky to say that the Senator from Idaho did not refer to the question of the regulation of commerce?

Mr. LOGAN. I changed that and said that he did not discuss the question of the regulation of commerce. The Senator from Idaho dwelt very eloquently on the power to lay taxes, and said we could not delegate that power; and he dwelt on the power to make treaties, and said we could not delegate that power. As I recall his words, however, he did not say anything about the power to regulate commerce, more than to refer to it very briefly as one of the powers to be found in the Constitution.

Mr. BORAH. I did not discuss it at great length, but I did say that, in my judgment, this bill had for its object and purpose the regulation of commerce, and that that was a matter which belonged exclusively to the Congress.

Mr. LOGAN. If the Senator made that statement, then his reasoning about the opinion of the Supreme Court in the Field case must be wrong; and I think he was right, because that is all that was done in the Field case.

Congress, as I recall, delegated to the President of the United States the power to say whether certain goods should come into this country free. That, of course, was a regulation of commerce. The power of the President to do this

thing was attacked in the courts, and the Supreme Court said he did have the power. The Senator from Idaho said the Supreme Court so held because the power vested in the President was not the taxing power. If it was not the taxing power, it was the power to regulate commerce; and being the power to regulate commerce, the Supreme Court upheld the delegation of such authority in the case of Field against Clark.

Mr. BORAH. The Supreme Court upheld the law in the case of Field against Clark exclusively upon the proposition that Congress did not delegate to the President any power to lay taxes; that it did not delegate any power to regulate commerce; that the sole delegation to the President was the ascertainment of a fact and the announcement of that fact, but when that fact was ascertained and the announcement made, the law which Congress had passed went into effect; that Congress had legislated, the law was complete. The Court laid particular stress upon the fact that the sole function of the President was to ascertain a fact and to announce it. That has been accepted as a power of legislative bodies, of course, from the beginning of the Government.

Mr. LOGAN. The fact which the President was to ascertain was whether he should take certain action in the regulation of commerce with foreign countries.

Mr. BORAH. No; the Congress regulated the commerce by fixing the rates which should obtain both before and after the fact was announced. The sole thing which devolved upon the President was to ascertain a fact; to wit, whether other countries were levying a duty which was nonreciprocal.

Mr. LOGAN. And then what did the President do after he had ascertained that fact?

Mr. BORAH. After he had ascertained that fact, he announced that fact, and the act itself provided what rates should prevail after the fact was announced.

Mr. LOGAN. Then that was a delegation to the President of the power to say whether certain goods should come into this Nation free or should be dutiable, as provided by the Congress. The power to regulate interstate commerce unquestionably was delegated by that legislation, else the President could not have done anything.

Mr. BORAH. I do not wish to interrupt the Senator at length. I will simply state my position and then desist.

Mr. LOGAN. That is all right; I do not mind being interrupted.

Mr. BORAH. What I understand from that case is that the President was not given power to say whether certain goods should come into this country or not. Congress said that; and the Congress, in its legislative act, operated upon the single proposition of the ascertainment of the fact. That fact the President was permitted to ascertain; but after he ascertained the fact as to what goods should come in, the terms on which they should come in and the rate at which they should come in were fixed by the Congress itself in the act. The Supreme Court said that by reason of the fact that Congress itself had determined the rate and the conditions upon which the goods might come in and go out, that was not legislation upon the part of the President.

Mr. LOGAN. But it was a delegation relating to the regulation of commerce with foreign nations, and the President was vested with power which affected commerce with foreign nations.

Mr. President, a few weeks ago the Senator from Idaho made a great speech. The Senator is a great lawyer, and in sorrowing over the rights of the people which have been taken from them by Congress he grew very eloquent. He gave us a powerful burst of eloquence on the rights of the people. As I have undertaken to show to the Senator from Ohio, there is no Member of the Senate and no Member of the Congress who can put his finger on any act anywhere that has taken any fundamental constitutional right from the people of the United States.

I wish to call attention to some of the things which I think the Senator was in error about when he discussed the bill. The Senator's whole discussion was aimed at the taxing power of Congress, and that is not the subject of the

bill pending before us. It is a bill to regulate commerce with foreign nations. The Senator said:

It seems to me the bill runs counter to the plain provisions of the Constitution. I, therefore, beg the indulgence of my colleagues while I discuss the bill in the light of these constitutional provisions.

What I complain about is that the Senator then did discuss the power to tax, he did discuss the power to make treaties, but he did not discuss the power to regulate commerce with foreign nations, and that is the subject of the bill.

To show that he was discussing the taxing power, let me read what he then said:

There is no subject in which the people have or could have a greater interest than that of where the taxing power of government should rest and how and under what circumstances it may be exercised.

I quote that from the Senator's speech simply to show that beyond all question the only thing he had in mind was the delegation of taxing power. That is not such a terrible thing, when we come to think about it. Taxing power is delegated by every legislative body that passes any tax law. Let us take the income tax law. We passed a law saying the rates should be so much. But who is it who determines the amount of the tax that shall be paid? Who is it who determines what is exempt and what is not exempt? It is the Bureau of Internal Revenue, and the amount of the tax is finally ascertained by some one to whom Congress has delegated the power to determine what the tax shall be.

Let us consider the plain, old-fashioned general property tax. Real estate has always been taxed, I suppose, and we impose taxes upon it. The legislature of a State passes a law imposing a tax rate of so many mills or so many cents, according to the value of the property, and states that the property shall be assessed at 100 percent of its market value, we will say. Then the legislature delegates to the tax assessors, or to the tax commissioners, or to a board, the power to determine what is the 100-percent value, what is the value of the property, and it is the assessed value of the property which determines the amount of the taxes which shall be paid. There is no tax law of a general nature of which I know which does not delegate authority to lay taxes. We cannot function as a Government without the delegation of power.

In this connection I wish to make another statement. Someone has said that parliamentary government is a thing of the past. That is not true. But parliamentary government, as we knew it in the beginning of our own Nation and as it has been understood for many years in England and other countries which have parliamentary governments, has finally discovered that there must be modifications, that there must be changes, or that parliamentary government must perish from the earth.

A while ago I mentioned the fact that the fathers of our country, who wrote the Declaration of Independence and established the Constitution, never saw a railroad train, never saw a reaper or a mower or a tractor, never saw a steam engine, never saw a railroad or any kind of a street car or an electric light, never talked on a telephone or heard of such a thing, never rode in an automobile or an airplane, never dreamed of such a thing as a radio. So these great questions have arisen since parliamentary government was instituted among men.

Then what are we to do? Are we to abandon parliamentary government? We would have that to do if we undertook to say that the Congress, or that the legislature, or that parliament must go into the details with every bill it passes so as to determine exactly how it should be administered. Yet that is parliamentary government.

Parliamentary government would have said, when we passed the bill for the relief of the distressed and appropriated hundreds of millions of dollars, "Congress must provide exactly how it shall be determined whether relief shall be administered to a particular unfortunate, exactly what officer shall administer relief. It must determine exactly what board and what people and what persons shall have control of the relief."

We could not have done that at all. We would have been here even now discussing the questions which would have arisen. But parliamentary government, as it was understood in the old days, meant that we should do exactly that thing. So we must get away from that. Parliamentary government must be modified to the extent that the parliament must have the authority and the power to delegate the details to someone else, because parliament as a body cannot work out the details and put the end to any law.

It means simply this, that the Congress of the United States must chart the course, it must determine the objective, it must determine the policies which the Government should follow, and write them into laws. That is all we can do in this day and age. We are forced, then, by the very circumstances and conditions to delegate authority to someone to put into effect the purposes which Congress has determined should be accomplished for the happiness of the people of the Nation.

If we had undertaken a little more than a year ago to pass a law regulating banks, and to provide how they should be opened, we would have been talking here yet if we had undertaken to say exactly what steps had to be taken before a bank should be opened or before a bank should be closed. Yet that is parliamentary government in its pristine purity, that is parliamentary government, perhaps, as it was understood in the beginning of our Republic; but it is not parliamentary government under the present-day civilization.

So I say that when we undertake to regulate some great business, such as banking, we have to delegate the authority to someone else. We do not leave them to do as they please. We set before them a goal, we place before them a flag flying high so that they may see it, and we say, "You must travel the path that leads you there, but we cannot determine every step you shall take or how you shall take it." So parliamentary government as it exists today means that we must delegate authority if we are to accomplish anything.

I presume there is no one here who would be bold enough to say that Congress could write a tariff law. The last one Congress enacted was perhaps the most horrific monstrosity the world has ever seen, and it brought upon us all of the troubles we have, though we may now try to get away from it and explain it away. Some Democrats, as well as Republicans, seem to be afraid of questions relating to the tariff. But I must pass on. I content myself by saying that the Congress has the power to delegate to the President of the United States the power, as the agent of the Congress, to regulate commerce with foreign nations.

Mr. President, I am not going to read the opinions referred to by the distinguished Senator from Idaho, but I want to say now that I agree with him most fully that an emergency does not have anything to do with constitutional provisions. We cannot set aside constitutional provisions because of an emergency. It would be foolish to make such a contention as that. It is in the time of emergency when we must stick closer to our Constitution and constitutional provisions. There is, however, one thing I should like to suggest. There are powers in the Constitution and there are authorities given the Congress by the Constitution which do not need to be exercised until an emergency arises; but when an emergency does arise, if we want to do something which we have not done before, we must find the authority in the Constitution. If we cannot find the authority there, then, of course, we should not take the action. I am persuaded, however, that every time we have had a crisis, every time we have had a calamity in our country, the people have been able, through the interpretation of the Constitution by the courts—and no other body has the right to interpret it under our laws—to find authority in the Constitution to meet emergencies; not because we develop anything new, but merely because we awaken a sleeping power which there was no need to exercise except when an emergency arose.

I think it has been necessary on several occasions for the people to amend their Constitution in order that the Federal Government might have more authority than it has ever had; but in every emergency we have had during our national life the people have had the power or have found the

power, either in the Constitution already existing or by writing new provisions into the Constitution, to meet the emergency.

I do not think any of us would say that the Constitution of the United States is made of cast iron; that there is no resiliency to it; that it cannot be expanded to meet an emergency, if the emergency is contemplated by any provision of the Constitution. It is not a dead thing. The Constitution of the United States is a living force; and when the courts can find authority for acts of Congress and uphold them, no one has the right to say that Congress is violating the rights of the people in the enactment of laws which the courts uphold.

I note the quotation from the Minnesota case which was put into the RECORD by the Senator from Idaho [Mr. BORAH]. The Senator from Ohio [Mr. FESS] expressed the opinion that the decision in the Minnesota case is an indication that our courts are apt to break down. I have practiced law a long time; I have seen courts render opinions which I thought were very unsound. They seemed so to me at the time they were rendered. Perhaps I have lost cases which I thought I should have won; but sometimes I go back to the old opinions which I thought were so wrong, and when I read them again I do not wonder at the opinion of the court, but I wonder why I myself ever held such a position as I did at the time the opinion was rendered.

We sometimes mislead ourselves. I know that the executive branches of government are often swept off their feet by the passions and the prejudices of the people. I know that legislative branches of government are often influenced by the clamor of the public. I have never seen a time, however, and I do not believe that I shall ever see the time in the history of our country when the judicial rights of the people have been or will be seriously affected, if at all, by public clamor; and I do not believe that there is now any more danger of the Supreme Court of the United States or the other United States courts, or our State courts departing from constitutional government and constitutional provisions, than there has ever been at any other time in the history of our Nation.

I trust the courts. I am willing to trust them. The American people are willing to trust the courts unless their confidence is undermined by the statements of great men holding high places, willing to say that they are afraid every constitutional guarantee will be swept aside because the courts cannot be depended upon. I believe it is unfortunate, I believe it is unfair, to make such statements as that, and I know it is harmful to the people, who are distressed, and hardly know where to look for succor. Therefore I disagree with the Senator from Ohio when he says that the Minnesota case shows that perhaps the courts are becoming impregnated, as it were, with the idea of a "new deal" or a "new day." I do not think so. I am not afraid of the courts.

I desire to find the statement of the Senator from Idaho [Mr. BORAH] about a case which he said he thought much of. I shall not discuss the Hampton case which he mentioned. The Senator said he disagreed with the court in its decision in that case. I think perhaps I should have disagreed with it at the time; but it is the law. The court has so decided.

Here is the case I had in mind; and to show the Senate that the Senator from Idaho sometimes answers himself, I desire to read from it. He was quoting from a case and he said that it was a case of which he was very fond. Let us see what there is in that case to sustain his argument that the liberties of the people were being destroyed, when I am persuaded that he must have known that not a single right guaranteed to any individual in America has been destroyed by any legislation, nor, indeed, can it be until we overturn our Government.

The Senator from Idaho read from the Milligan case, and he said he is very fond of it. I am, too. I agree with the Senator fully. Let us see, however, what the court said is found in the Constitution; and if we find that the court thinks that we can find salvation in the Constitution on an

occasion like this, it seems to me the Senator from Idaho should be willing to concede that the Constitution does afford a remedy in times like these.

The court in that case said:

The Constitution of the United States is a law for rulers and people—

That is right—

equally in war and in peace—

That is right—

and covers with the shield of its protection all classes of men, at all times, and under all circumstances.

I wonder if the Senator from Idaho thinks the Constitution has been a shield to all classes of men during the past few years.

Mr. BORAH. Mr. President, I did not quite hear the reference to the Senator from Idaho. The Senator said he wondered if the Senator from Idaho did what?

Mr. LOGAN. I said I wondered if the Senator from Idaho thinks that the rights of all classes of people have been protected by the Constitution of the United States in the past few years.

Mr. BORAH. Mr. President, I made no charge that the people of the United States had not been protected in that speech. I was discussing the constitutional question alone. I have taken the position that the Constitution is sufficient and efficient under all circumstances and all conditions to protect the people of the United States and that it is not necessary to go outside the Constitution in order to do that.

Mr. LOGAN. I am fully in accord with the Senator's position.

Mr. BORAH. That is the position I have ever taken.

Mr. LOGAN. I am in full accord with that. But the Senator said, as I recall, that in the case of an emergency such as this the Government had no greater power than it had when there is not an emergency. I think that is true to a large extent.

Mr. BORAH. No, Mr. President; that is not what I said.

Mr. LOGAN. I desire to be corrected if I am wrong in my statement.

Mr. BORAH. The Senator from Kentucky misunderstood the Senator from Idaho. What I said was that, whether it was an emergency or normal times, we must still go to the Constitution to find whatever power we should exercise here. I have claimed that, as the Senator said a few minutes ago, an emergency makes no change in the Constitution. That if we are going to exercise some extraordinary power, still we must find that extraordinary power within the terms of the Constitution. In all circumstances we must find our power in the Constitution adopted by the people.

Mr. LOGAN. I continue to read the quotation from the Milligan case:

No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of Government.

That is the Milligan case, and that is sound.

Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government—

And note this—

for the Government, within the Constitution, has all the powers granted to it which are necessary to preserve its existence.

If all the powers are in the Constitution to preserve the existence of this Nation, it is time we were finding them. We have been hearing in the past 3 or 4 years of millions of men tramping the streets begging for work, while millions of pale-faced mothers stay at home and have to listen to their children cry for bread. Today there are millions of people who are hungry, millions who are naked, and millions who have not the place to lay their heads when night comes. It is such a condition as that which has been brought about through the abuse, perhaps, of the taxing power, or through the abuse in the imposition of what many choose to call a protective tariff. If such a condition exists, is not the Nation itself in danger? If it is in danger, if there is something that needs to be done to preserve the very existence of the Nation,

the Supreme Court of the United States in the case which the Senator from Idaho said he loved so well, or was so fond of, said that there is in the Constitution the power and the authority for the Congress and the officials of Government to do the things that are necessary to preserve the existence of the Nation; and I agree fully with that.

Now a great noise goes up because it is proposed at this time to delegate to the President of the United States the power to regulate commerce with foreign nations. The reasons why it should be done have been discussed by many. We have seen our foreign trade shrink almost into nothingness. There was a time when millions of people—I think Mr. Hoover on one occasion estimated the number to be 3,000,000 men, laborers—were given work in factories producing goods which were exported and sold to foreign countries; but that business has dwindled away until it is almost nothing.

We carry on practically no commerce with other nations, and when we undertake to devise some means whereby we may restore commerce with foreign nations, we hear it said, "You must not do it; it is a delegation of authority; it is the creation of a dictator; it is bringing about a revolution; it is destroying the sacred rights of some of the people who have grown rich in taking that from the average man which they had no right to take."

Mr. President, I have discussed the constitutional provisions of the pending bill rather hurriedly and unskillfully. I now wish to say just a few more words and I will have finished. What I say now expresses my personal views about a protective tariff; I speak for no one else. I do not know what the views of the President of the United States are; I do not know what the views of many of the Senators are; but I do believe as sincerely as I ever believed anything in my life that all the troubles we have today are but the culmination of that system which started 100 years ago and which has developed since then of protecting industry. The excuses that have been given for it have been lame ones. There never was any excuse for it other than to give power to some group of people somewhere to take from the great masses of the people that which they had no right to take. I am against the protective tariff. I realize it has become so a part of our system of government that we cannot dispense with it all at once, but if I had the power I would begin now and I would work toward the one objective of eliminating from our statute books everything that carries the idea of a protective tariff.

If there had never been such a thing as a protective tariff, there would not today be the great congestion of population and wealth in certain centers that has been brought out through the protective tariff. Why is it the farmers of the West are having such a terrible time existing? Oh, it is easy to answer that question. The farmers of the West have been discriminated against by a tariff which they themselves have supported.

The greatest propaganda the world has ever seen has gone out in favor of what we know as the protective tariff. Men who have great talent and great brain power have been hired by those who are its direct beneficiaries to go on every lecture platform and on every Chautauqua platform, the theaters, the picture shows—yes, even at times the churches themselves have been but the instruments of propaganda to create a sentiment for the protective tariff. If there had never been a protective tariff, factories would have developed naturally where the raw material was; they would have developed because of the necessity for their development; the money which has been taken from the people to enrich a few easterners and some others who have lately been getting benefits from the protective tariff would have remained with the people; and the population would not have been congested in New York, Chicago, Detroit, and other great centers, but the population would have been distributed throughout the West, where it belongs. If that had been true, instead of the farmers of the West being compelled to build and support railroads, as they have done in order to ship their raw materials to the centers of population where they could feed the people, they would have kept

those raw products there, where the people would have been; and when they kept them there where the people should have been, they would not have been forced to pay freight rates to the eastern seaboard and freight rates again back on the finished product.

Mr. HASTINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Delaware?

Mr. LOGAN. I yield.

Mr. HASTINGS. In view of the Senator's position and his statement that he does not believe in the protective tariff, I wish to inquire whether he agrees with the recent action of the President in imposing a tariff, as I recall, of 150 percent on rugs?

Mr. LOGAN. Of course I do not.

Mr. VANDENBERG. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Michigan?

Mr. LOGAN. I yield.

Mr. VANDENBERG. In view of the Senator's position that ultimately he would eliminate all tariffs, may I ask him whether he thinks the pending bill is a step in that direction?

Mr. LOGAN. I do not; I am afraid it may result in higher tariffs. I am not much in favor of this bill because I am afraid that it is not a step in the right direction, but it is the only thing we can do. If there has ever been a piece of legislation that has wrought destruction to an already troubled world it was the Smoot-Hawley tariff bill.

Let me say in that connection that Senators on the other side of the Chamber are making a good deal of complaint about delegating authority to the President of the United States to make tariffs, if that is what they desire to call it, but I never heard any of them complain when they delegated the authority to Joe Grundy, of Pennsylvania, to make the tariff law of 1930. I would rather trust—and I think the American people prefer to trust—the President of the United States rather than Mr. Grundy, however good he may be.

Mr. HASTINGS. May I inquire whether the Senator would be in favor of repealing the present tariff law entirely?

Mr. LOGAN. The Smoot-Hawley tariff?

Mr. HASTINGS. Yes.

Mr. LOGAN. If it were left to me, I would burn it in fire and brimstone.

Mr. HASTINGS. I am wondering whether the Senator can state why the Democratic Party has taken no action in that direction?

Mr. LOGAN. I am very glad to state that. For a number of years the Republican Party fostered the protective tariff, and it conferred benefits upon particular industries in which the Republicans were interested. The Democrats walked around on the outside for a long time and said, "We are against that thing; we are not going to stand for it"; but they were never able to do very much about it. Finally someone said, "Well, while the getting is good let us get ours." Take the tariff on sugar. If there ever was an iniquity on earth it is the tariff on sugar.

The senior Senator from Louisiana [Mr. Long] is not here, but some of the other Senators from sugar-producing States are present; and I think that is a good illustration. It was said, "We will build up a sugar industry if you will allow us to tax 124,000,000 people \$250,000,000 in order to give to 500,000 people a bonus or a benefit, and we will be very well satisfied with a tax on sugar." That is what they have been doing. The senior Senator from Louisiana [Mr. Long] has often boasted of his friendship for the poor; great tears roll down his cheeks copiously when he talks about the poor; and yet if there is any tax in the world that is continuously and forever reaching into the pockets of the poor and taking their hard-earned pennies, assessing the men who cannot earn enough to afford shelter and food for their families, it is the sugar tax, which makes them pay per capita just as much as does Henry Ford or any other millionaire. That is true, in a large measure, as to all

the items in a protective tariff. It does but one thing; it taxes the poor equally with the rich.

Mr. OVERTON. Mr. President, will the Senator from Kentucky yield?

Mr. LOGAN. I yield to the Senator from Louisiana.

Mr. OVERTON. Will the Senator point out any country in the world where sugar is selling cheaper than it is selling in the United States of America?

Mr. LOGAN. I will not, because I do not know whether there is any, but I do know, as every man knows, that if the tariff on sugar did not increase the price to the consumer in America there would be no tariff there. I do not care what it sells for in other countries of the world, the fact that the price is increased to the American consumer is what makes it an abomination. Senators are entitled to their own opinions about it. For those who believe that the United States Government should treat the tariff as a sort of grab-bag and that every fellow should reach into it and get exactly what he can, that is all right, if they believe it is all right; but, so far as I am concerned, I am against any such system.

I say that it is one of the great mistakes under the Government of the United States that for years the tariff has been used as a logrolling device, so says the Senator from Louisiana, whereby each one could get what he wanted, but there has seldom been anyone representing the great masses of the people. Nearly all the people are hurt by a protective tariff, for the price they have to pay for their goods and necessities is increased by the tariff. All the other Democratic Senators may depart from that view, if they so desire, and Democratic platforms may depart from it, and Democratic candidates, as was pointed out yesterday by some Senator, may depart from that idea; but as for me and my house forever, I declare that there is no one who can convince me that it is right to make 95 percent of the people pay toward the support of a very small minority.

Mr. HASTINGS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Delaware?

Mr. LOGAN. I yield.

Mr. HASTINGS. I wonder if the Senator can find any justification for the theory that we are entitled to put a tariff upon rugs coming from Japan, where the rate of wages is probably 15 to 18 cents a day as compared with \$5 to \$6 a day in this country?

Mr. LOGAN. I would not have missed that suggestion of the Senator from Delaware for anything. I was forgetting something I had desired to note. I hear people talk about the standard of living in America and the standard of living in other countries, and they want to even up conditions with a protective tariff. If there has ever been anything that is foolish it is that.

Go over to England, about which Senators talk. Go out in the country there and see how many little tumble-down cabins are to be found scattered on the mountainsides and along the streams. See if there may be found men and women and hound dogs that appear as though they had not had anything to eat for months. They are not to be found there. Their living conditions are better than our living conditions, although our workmen may receive a vastly greater wage.

Go into Germany, if we will, and drive through Germany and see the neat little houses where the working people live, with flowers climbing over the windows and on the roofs, the neatly trimmed lawns, and evidences of happiness everywhere. Then go to the mountains of North Carolina, Tennessee, Virginia, and other sections of the United States and see the living conditions there. Go into the throngs of the great cities of the United States, and then go into the cities of Europe, and come back here and dare to tell me it is necessary that we shall have a protective tariff in order to make living conditions here equal to living conditions in Europe.

Mr. OVERTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. LOGAN. I yield.

Mr. OVERTON. The Senator from Kentucky is speaking about England and about a tariff on sugar. I should like to have him to advise me if it is not a fact that in England there is not only a tax levied, but also a bounty paid for the growing of sugar and the production of sugar?

Mr. LOGAN. I would not dispute that at all; but I do not care if it be true. There may be a bounty paid and a tariff in every country on earth, but when we have a few sugar growers in Louisiana and other States who are filching the pockets of the people of the United States day in and day out, taking away the earnings of the poor, about whom our friends cry so much, I am against it because it is not right. We have less than 500,000 people in the United States interested in the sugar industry at all. We have nearly 125,000,000 people taxed for the support of that group. What is the justification for it?

The senior Senator from Louisiana [Mr. LONG] told us the other day, when he said—

We wanted that tariff for our State, and so we went over and traded with somebody in Ohio for them to give us a tariff on sugar and the right to take from the people that which we had no right to take, if we would vote to give them the right to take something else from the people.

The Senator from Louisiana said he knows that is the way the tariff laws have been made. Bad as it may be to delegate the power to the President, I would delegate it to anyone, I would delegate it to Satan himself, before I would be willing to go through the processes which have been so ably described here by the senior Senator from Louisiana in the making of tariff laws, when he knows and we all know, that it is merely a filching from the people of the United States.

Mr. LONG. Mr. President—

The PRESIDING OFFICER (Mr. REYNOLDS in the chair). Does the Senator from Kentucky yield to the senior Senator from Louisiana?

Mr. LOGAN. I yield.

Mr. LONG. I wonder if the Senator knows that if the tariff philosophy which he is expounding were put into effect we would not have a coal mine in the United States, because foreign coal would take the market; we would not have a domestic oil field in the United States, because foreign oil would take the market; we would not have any sugar production in the United States, because foreign sugar would take the market; we would not have any lumber production, because foreign lumber would take that market over. We would have nothing if the tariff philosophy my friend is advocating were put into effect.

Mr. LOGAN. But the people who burn coal would be able to buy it somewhat cheaper, and they need every penny they can save. The people who buy gasoline would be able to buy it much cheaper, and the people who buy sugar would be able to buy it much cheaper. There is enough land in the United States to support a population five times that which we have today.

I am objecting to the regimentation about which our friends talk so much—not the regimentation about which Professor Tugwell talks. I am talking about the protective-tariff regimentation where great groups of people have been brought together. Let me say to the Senator from Louisiana that he has been vociferously urging the distribution of wealth, and yet he boasts of the fact that he is one Senator who on every occasion has voted to perpetuate the system whereby wealth shall always abound in the hands of the few and the poor shall have nothing.

The only reason why we have these great aggregations of wealth in the main—I do not say there are not some exceptions—but the reason why we have the tremendous wealthy influence, the reason why we have the tremendous aggregations of wealth, is because of the pernicious protective-tariff system which the Senator from Louisiana says he advocates. Therefore, I must say that his advocacy of the poor is but a pretense because when he comes to act he acts for the rich and in favor of making them ever richer and greater in wealth. [Laughter.]

Mr. LONG. Mr. President, I wonder if my friend from Kentucky knows that in his effort to take the tariff off sugar he is an ally of the American Sugar Refining Co.?

Mr. LOGAN. I do not care whose ally I may be. I do not care whether I may be an ally of the sugar-refining company or whether it be Germany or the United States or Africa, I am for taking the tariff off sugar. When Secretary Wallace said it was a foolish thing to foster, if he did say it, he was telling the truth. But I am not speaking for him.

Mr. OVERTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the junior Senator from Louisiana?

Mr. LOGAN. I yield; but I did not mean to get into a controversy with the two Senators from Louisiana. [Laughter.]

Mr. OVERTON. In order to avoid interrupting the Senator from Kentucky unduly, I should like to ask him two questions: First, whether he entertains the same view with respect to a tariff duty on tobacco and tobacco products that he does with reference to a tariff on sugar?

Mr. LOGAN. Exactly.

Mr. OVERTON. The second question is whether he has any information at all that in the event the bill shall be passed there will be a reduction in the tariff duties on sugar or on tobacco?

Mr. LOGAN. I hope there will be, but I have no information of the subject at all. I have not seen the President in months, nor have I had any information on the subject.

Mr. LONG. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the senior Senator from Louisiana?

Mr. LOGAN. I yield.

Mr. LONG. I just want to try to ask my friend a question, and I am going to put it all in one question. Does he not know that the Copper Trust is against the copper tax, the Oil Trust is against the oil tax, the Sugar Trust is against the sugar tax, and does my friend from Kentucky still think he is not fighting the common people when he lines up with those trusts? They know what they are doing better than we know. The Copper Trust knows what it is doing, and so does the Oil Trust, and so does the Sugar Trust. But we people from Louisiana, whose farmers are raising sugar to keep soul and body together in this country, sugar that all must have, are opposed by these gigantic combinations and monopolies. The great trouble is that they steal our misguided friends in Kentucky away from us because they do not see where the lines are drawn.

Mr. LOGAN. I suppose the Senator does not make that statement seriously. I suppose it is for public consumption in order to defend the position he has taken since he has been in Congress that he is a friend of the poor and believes in the redistribution of wealth. Of course, no trust that ever existed is against a protective tariff unless, perchance, it could get more out of it by being against it.

I very well know that if we take the tariff off sugar, the consumer, the little hungry children about whom the Senator cries so much, the poor, pale women who rarely ever have a quarter to buy a quarter's worth of sugar, will pay less for their sugar, that sugar will be cheaper to them; and that is a good way to redistribute wealth.

Mr. VANDENBERG, Mr. FESS, Mr. LONG, and Mr. OVERTON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kentucky yield; and if so, to whom?

Mr. LOGAN. I yield first to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, the only time in 20 years when sugar has sold for more than 5 or 6 cents a pound was in 1920, when it sold up to 30 cents a pound; and that is the only year when the domestic sugar production ceased to exist and went out of the competitive market. Therefore, based upon the American experience, the moment the domestic-sugar competition ceases—and the Senator admits that it can exist only under tariff protection—our market is delivered exclusively to the Wall Street control of Cuban sugar; and the masses of people concerning whom the Senator is righteously worrying—and I agree with him

in his solicitude—are the victims, not of the tariff but of the lack of domestic competition which is maintained by the tariff.

Mr. LOGAN. If the statement of the Senator is true—and I think it is; so far as I know, his statements are always true as he sees them—then there is a reason why the pending bill should be passed, and we should delegate to somebody the authority to break up a thing of that kind. We do not need a protective tariff to do it, but somebody should have authority to prevent that condition.

I think—and I am saying this seriously—that if I were writing this bill, I should write this kind of a measure: It would be about three or four lines in length. I should say:

The importation of all goods into the United States is hereby prohibited.

Then I should put in another sentence, saying:

Provided, however, That if any other nation shall work out an agreement with the Government of the United States which is satisfactory to both governments, then goods such as are agreed upon may be imported into the United States.

Mr. LONG. Mr. President, will the Senator yield for one more question?

Mr. LOGAN. Yes.

Mr. LONG. Does not the Senator know that the United States has the cheapest sugar market in the world?

Mr. LOGAN. I do not know about that. I assume that what the Senator says about it is true. I do know that it has the only market in the world, so far as I am advised, where the people are taxed on the very necessities of life. We might just as well tax salt; we might just as well tax those things without which the body cannot exist.

Mr. CLARK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Missouri?

Mr. LOGAN. Yes.

Mr. CLARK. The Senator from Louisiana is, of course, familiar with the fact that in the countries where the price of sugar is higher than in the United States, sugar is a monopoly of the government, as salt is in some uncivilized countries, as tobacco is in some countries, as cigarettes are in some countries, where an additional tax, over and above everything else, is put on the product for the purpose of government monopoly.

Mr. LOGAN. I thank the Senator from Missouri for his statement. I did not know about that. There are a great many things that I do not know.

Mr. LONG. I have not looked at the market lately, but I think it probably will be found that the price of sugar in Cuba today is higher than it is in the United States.

Mr. CLARK. The Senator from Michigan [Mr. VANDENBERG], who is better informed than the Senator from Louisiana, shakes his head, so I guess that is not true.

Mr. LONG. Perhaps not; it may not be today; but I know that on many occasions the sugar market in Cuba has been higher than in America. All over the world, unless it is in Cuba, America has the cheapest price.

To show how much sounder that is than the Senator would think, in the tropical countries which produce the foreign oil that comes in here so cheaply that it ruins the American market, gasoline always sells for about twice what it sells for here, notwithstanding that they are the home of the cheap oil. America, by keeping up its domestic oil production, keeps down the price of oil. If we should today get rid of the domestic sugar crop in the United States, we would not have any more 5-cent sugar. We would not have any 6-cent sugar. We would have what we had in 1920, 30-cent sugar, or something like that.

Who owns Cuba? The National City Bank and Wall Street own Cuba. They own the Philippine sugar business, and we are driving countless millions of little farmers out of a living.

Mr. LOGAN. Did the Senator say, "countless millions"? Oh, no; there are very few farmers engaged in the sugar industry. Let us not have statements about "countless millions."

Mr. LONG. Not countless millions, but there are millions of people engaged in the sugar business. Perhaps there are not millions of farmers.

Mr. LOGAN. No; there are less than 500,000 all told, including employees.

Mr. LONG. The Senator means there are that many families. Count four to the family, every one of them working in the fields. Every one of them, from the time he is 6 years old, works in the cane fields. If there are 500,000 farmers, there are 2,000,000 men, women, and children in the cane fields and on the beet farms today. If today we drive the American people to a monopoly for sugar, if we drive them to a monopoly for oil, or to a monopoly for copper, the foreign producers can charge us what they want to charge us; and where are the people of America going to get anything with which to buy sugar if they cannot make any lumber, if they cannot make any gasoline, if they cannot refine any sugar? Where are the people going to get all the money with which to buy these products?

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LOGAN. I yield to the Senator from Maryland.

Mr. TYDINGS. I should like to point out to the Senator from Louisiana that Puerto Rico is a part of the United States. It is one of our possessions. It has no oil wells, and it has no tariff on oil coming from the United States to Puerto Rico proper; yet the price of gasoline and oil in Puerto Rico is from 25 to 60 percent higher than it is in continental United States.

The obvious reason is that there are less cars in Puerto Rico than there are in the United States, and therefore the evaporation and handling and transportation add greatly to the cost, while in the United States, where there is a great volume of sales, the transportation has been simplified and economized, and the volume is sufficient to prevent evaporation.

If, therefore, there prevails in a part of the United States a condition of high price of oil comparable to that in the South American countries which the Senator pictures, his argument must fall, because there is no support of fact under it.

Mr. BONE. Mr. President, will the Senator yield?

Mr. LOGAN. I yield to the Senator from Washington.

Mr. BONE. The Senator from Louisiana complains that a South American country producing oil sends it into this country, where it is sold at a figure far under the price at the point of production. I am wondering if the Senator from Louisiana is not aware that our American manufacturers engage in the same practice. We build in this country sewing machines which we sell at one price, and when we go to Mexico City we can buy them there for half the domestic price. The same thing is true of steel rails and a hundred commodities that are handled in identically the same fashion that the Senator from Louisiana suggested.

Mr. CLARK and other Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kentucky yield and, if so, to whom?

Mr. LOGAN. I yield to the Senator from Missouri.

Mr. CLARK. Mr. President, of course, it has been demonstrated several times by congressional investigations that under our tariff system steel billets have been sold to builders of naval vessels at Glasgow or in Germany or France, possibly to be used against the United States, for less than the price at which the same steel billets could be bought by American builders at the door of the factory in Pittsburgh.

Mr. LONG. Mr. President, if the Senator will permit me to answer that—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. LOGAN. I will yield just for a minute, because I want to find terminal facilities pretty soon.

Mr. LONG. I wish to say that that is no argument. We find gasoline selling in San Francisco at one price and in New York at another. We sometimes find gasoline selling in California—where they get the oil out of the ground and

refine it—at a higher price than it is selling for in Jersey City. That has often happened, so that is no argument.

Mr. CLARK. That is the old tariff argument on monopoly.

Mr. LONG. Certainly. Now, I am not going to try to convince any free-trader. That is simply impossible. Why they are free-traders, I do not know; but a free-trader cannot be convinced. The fact stands out, however, that America is the cheapest market for oil, America is the cheapest market for sugar, and yet we are protecting our domestic industry. A free-trader cannot be made to see it. They want something like the South American countries have. I do not know why they do not get it. Why in the world they have not gone down there before now, I do not know; but they want free trade. Notwithstanding that America, with its standards of living, has the cheapest commodities, none the less they cannot see it. There is something in the way all the time.

Mr. CLARK. Mr. President, the Senator from Kentucky says he prefers not to yield further, but I will ask him to yield for just a minute.

Mr. LOGAN. I yield.

Mr. CLARK. Of course the Senator from Louisiana has never studied the tariff question sufficiently to understand the difference between a free-trader and a man who understands the Constitution, and who understands that under the Constitution the only theory upon which a tariff rate can be levied is that of a tariff for revenue. The Senator from Louisiana always insists that anybody who desires to cut out prohibitive tariffs and the tariff taxes that are paid by the American people, not into the Treasury of the United States but into the pockets of protective-tariff barons, is a free-trader.

Mr. LONG. Mr. President, may I ask a question?

Mr. LOGAN. I yield.

Mr. LONG. The Senator from Missouri, then, is not a free-trader?

Mr. CLARK. I am not a free-trader; no.

Mr. LONG. The Senator believes in a tariff?

Mr. CLARK. I think it is a legitimate use of governmental power to levy a tariff duty up to the maximum revenue-producing point; but I say that any tariff tax—because the tariff is a tax—which is levied above the maximum revenue-producing point is robbery under the forms of law.

Mr. LONG. Would the Senator accept our Democratic doctrine of the difference in cost of producing that article abroad and in America?

Mr. CLARK. The Senator from Louisiana is not very familiar with the Democratic doctrine, as he demonstrates by usually sitting on the Republican side when he makes a speech on the tariff. That is not a Democratic doctrine. That is a doctrine which has been enunciated in a good many Republican platforms. It has never been the doctrine of the Democratic Party. I know the Senator is going to the platform of 1924—

Mr. LONG. 1932.

Mr. CLARK. Or the platform of 1928, on which the Democrats received the most disastrous defeat they ever had in the history of the country.

Mr. LONG. I am going to read the platform of 1932.

Mr. OVERTON and other Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kentucky yield; and if so, to whom?

Mr. LOGAN. I yield to the junior Senator from Louisiana, and then I am going to try to get through. I started out to speak for 45 minutes, and I have been speaking for nearly 3 hours, and I have a right to quit.

Mr. OVERTON. Mr. President, this is the last time I shall transgress.

In view of the fact that the Senator from Missouri [Mr. CLARK] has stated that he believes very firmly in a tariff for revenue, and has made some observations in respect to a tariff on sugar, from which I infer that he is opposed to a tariff on sugar, I desire to ask him if he knows a greater revenue producer in the history of our Nation than the tariff on sugar.

Mr. CLARK. Mr. President, I do not desire to interrupt the Senator from Kentucky. I will expound my tariff views in my own time before the close of this debate. I shall be glad to respond to the question of the Senator from Louisiana, but I do not desire to transgress further on the patience of the Senator from Kentucky.

Mr. LOGAN. I thank the Senator from Missouri—in fact, all Senators. I hope the time may come some day when the Democratic Party will get back to its firm and sound position on the tariff.

Mr. LONG. So do I.

Mr. LOGAN. I hope that time may come. I realize, as I said in the beginning, that it will be a gradual process of getting back to a sound position on the tariff. Things are so terribly out of joint that it will take a long time to get back.

Now let me say, in response to some of the suggestions that have been made, that the last tariff bill—what is the name of that bill?

SEVERAL SENATORS. The Smoot-Hawley bill.

Mr. LOGAN. When the Smoot-Hawley tariff bill was passed—

Mr. CLARK. Mr. President, may I interrupt the Senator once more?

Mr. LOGAN. Yes.

Mr. CLARK. The name by which that tariff bill is commonly known over the United States is the "Hoover-Grundy tariff bill."

Mr. LOGAN. When the Hoover-Grundy tariff bill was passed it drove out of this country hundreds of millions of invested capital, because foreign countries began to put up their tariff walls against us, and our manufacturers went over into foreign countries and established their plants, and carried their money over there, and employed labor in the country where they were located, and spent their money there, and the money circulated all through that country. That, of course, amounted to hundreds of millions in money, and millions of our people found themselves unemployed by reason of it. After they made the article they shipped it back to the United States, and after paying the transportation, still were able to sell it at prices lower than those of some of the competitors who had stayed in the United States all the time.

What I started out to say was that the measure before us is a bill to regulate commerce, and before I conclude what I have tried to say—I have no idea what it is just now, because I have been interrupted by so many, and we have discussed so many things, that I am not entirely sure, but I am going to get back to that with which I started out. I also wish to say at this time that I think a resolution should be adopted providing that a tariff Democrat like the senior Senator from Louisiana should be assigned to a seat on the Republican side, because he is a Republican. A man who believes in a protective tariff and a tariff on sugar cannot be anything else.

The power to regulate commerce is the power we are attempting to exert in the pending bill, and we are doing that through the delegation of authority to the President. I want to read from one who wrote a good many years ago expressing his idea of the meaning of that provision in the Constitution authorizing Congress to regulate commerce. This was his idea about it, and I think it was sound:

The power to regulate commerce is essentially a retaliatory power. It was bestowed in order to vest in the Government the power to employ retaliatory legislation against nations which excluded our products from their home or colonial ports. If any country would not permit us to traffic with its dependencies, Congress might so "regulate our commerce" with it as to exclude its products, wholly or in part, from our ports. If any nation adopted a policy adverse to our interests, Congress might retaliate by the imposing of discriminatory duties upon its commodities. Congress might also regulate our commerce with any country, which seeks to use its preponderance of capital for the purpose of crushing our industry, in such a manner as to thwart its injurious policy, and to maintain an advantageous system of commercial exchange. But this retaliatory legislation is very different from general duties laid upon the imported products of all foreign countries for the purpose of securing a monopoly to some favored interest. The intention in conferring this power on the Federal Government was not to give it power to foster any particular

branch of domestic industry by hostile legislation against the industry of all foreign countries, but to retaliate upon any foreign country that wished to foster their industry by a policy hostile to us. The policy of the Constitution was to secure to our industry an equal competition in the ports of the world, untrammelled by adverse legislation. In a word, the regulation of commerce was designed to promote intercourse, on equal terms, with foreign countries, not to impose barriers to it; to free the entire industry of the country from foreign oppression, not to oppress almost all its branches for the benefit of a few favored interests; to secure our industry free course, not to trammel it; to obtain for it the privilege of flowing in its natural channels, not to warp it into abnormal development.

I think that is the meaning of the provision of our Constitution, that Congress has the power to regulate commerce with foreign nations. We cannot do it. To sit here as a Congress and undertake to regulate commerce with nations which have retaliated against us, which have discriminated against us, is an utter impossibility, and everyone here knows that to be true. Then, if we have the power to regulate commerce with foreign nations, and if we cannot do it by sitting here as a congressional body, the only thing we can determine is that we will regulate commerce with foreign nations by delegating the authority to someone who will do it, and that is what this bill proposes to do.

I must beg the pardon of the Senate for the time I have taken.

Mr. McKELLAR. Mr. President, I wish to say that I have heard nearly all of the Senator's argument on the pending bill, and I think it is one of the best arguments, one of the most powerful arguments, that has been made in the Senate on any subject at this session of the Congress.

Mr. LOGAN. I thank the Senator.

Mr. LONG. Mr. President, will the Senator yield to me?

Mr. LOGAN. I yield.

Mr. LONG. I was just wondering whether the Senator from Tennessee had heard that kind of argument when he was voting for tariffs on the products of Tennessee.

Mr. McKELLAR. I could not explain that to the Senator from Louisiana in a thousand years. I do not think the Senator can understand those votes at all. [Laughter.]

Mr. LOGAN. Again I thank the Senate for its patience in hearing me. I realize that I have not been able to do all the things I would have liked to do. I did not know it took so long to discuss the tariff. But I am for the pending bill. Perhaps if it had been left to me I would have written a different bill, but it is the only thing we have before us, and I think it will fulfill the purposes Congress has in mind.

Mr. HEBERT obtained the floor.

Mr. FESS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Ohio?

Mr. HEBERT. I yield.

Mr. FESS. I ask unanimous consent that immediately following this oratorical effort in behalf of free trade on the part of the distinguished Senator from Kentucky there be inserted in the RECORD the address of the Honorable HENRY F. ASHURST on the 11th of April of this year on the protective tariff, in order that the two might be read together.

Mr. CLARK. Mr. President, I should like to join in that request and to ask that, in conjunction with the address covered by the request of the Senator from Ohio, and in connection therewith, there be included the very eloquent speech made by the Senator from Ohio [Mr. FESS] during the consideration of the Hoover-Grundy tariff bill in behalf of the flexible-tariff provision.

Mr. FESS. I join in that request. [Laughter.]

The PRESIDING OFFICER. Without objection, the matters referred to will be printed in the CONGRESSIONAL RECORD.

The addresses referred to are as follows:

ADDRESS OF SENATOR ASHURST, APRIL 11, 1934

Mr. ASHURST. Mr. President, I regret to take even a moment of the Senate's time when time is precious, but some attention must be paid to the motion of the Senator from Missouri [Mr. CLARK], and I feel disposed to pay some attention, respectfully of course, to the language he employed.

The Senator, with his scholarship, in a few sentences inveighed against the tax bill passed in 1912 because, forsooth, that tax bill

had carried some items of taxes or tariff respecting certain articles imported into the United States.

I regard the Senator from Missouri as one of the ablest exponents of the low-tariff system we have in the Senate. I shall say for him he has tried to be consistent, but even if he were guilty of the apparent inconsistency adverted to by the learned Senator from Texas [Mr. CONNALLY], that would not condemn him in my judgment, and he would be secure from my prejudice, because when I took the oath of office I took it without reservation; but there was a pledge to myself that I would never, as a Senator, try to be consistent. The man who tries to be consistent simply says "I decline to be wiser today than I was yesterday."

So, Mr. President, I defend the tax or Tariff Act of 1932. That act laid a tax or tariff upon oils, copper, coal, and lumber imported. I voted for those items and I have searched my heart since then and find no regret for the vote I then cast.

It ought to be always the duty of an American Congress to try to promote the American market. There is no escape from the irresistible logic of the statement that the American is entitled to his own home market.

I am not so much concerned about foreign countries, romantic as their history is, as I am about America, and I rise now to serve notice, respectfully, of course, on the able Senator from Missouri that I have proposed a tax—a tariff, if you prefer—of 10 cents a pound upon all copper imported into the United States.

Mr. President, there are some Democrats, able men, before whom Columbia would be proud to lay her shining hair, who are high-tariff men, but some of them rather conceal the fact that they are for high tariffs. I make no concealment of my position—no concealment whatever.

Daniel Webster went to the Congress of the United States from New Hampshire as a free-trader, but that imperial intellect, yielding to the irresistible forces of logic, preparedness, national destiny, and national advancement, changed from a free-trader into a great champion of protection.

Mr. President, I do not deny that when I came to Congress many years ago I had studied theories and I believed in the theory of low tariffs, and my theories were so fine-spun and so brittle that I could liken them to porcelain or glass. With an agility and a nonchalance at that time that I now even in myself admire, I hurled my theories, my bric-a-brac, my porcelain, my glass, against the concrete wall of fact here for 10 years, and my porcelain was always shattered. It was not the wall that was shattered.

It is not theory that guides and controls the destinies of men. It is fact that controls.

So, Mr. President, this is, it must be, it should be a high-tariff country. You will not survive with your low tariffs. You will not survive with your free trade. You will not elevate, protect, defend, or strengthen the American workingman by a system of low tariffs.

Arizona produced during the World War one-third of all the copper used by the Allies. Arizona produced one-sixth of the copper of the world, and around her copper mines and copper camps a civilization comparable to that of any other city or town in America in culture, in patriotism, and refinement was built. The same thing is true of the other copper-producing States. But, forsooth, when the enormously rich deposits of copper were exposed in Africa and in South America, where labor receives 40 cents a day and works 12 hours daily, the copper-mining industry of the United States not merely fell into obsolescence and disrepair but it was almost exterminated.

If the Senator from Missouri will assist me in securing the passage of the amendment which proposes a tariff of 10 cents per pound on copper imported into the United States, I give him guarantees that Arizona will never ask a dollar from the C.C.C., the C.W.A., the E.R.A., or any other governmental relief agency, because such tariff would at once put to work 30,000 workmen in the mines and smelters of Arizona; such tariff would at once cause the smoke to pour forth from the smelter stacks now so pathetically empty; it would at once cause the thud of the drill to be heard in the shafts, drifts, and stopes in the mines that are now dark.

I cannot speak now as to what revenue the tariff on oil brought into the Treasury; but I am able to say that under adverse conditions the copper tariff in about 18 months has brought into the Treasury of the United States \$712,022. So if the tariff should be increased on copper, not only would it set to work the workmen of Arizona, but it would in large measure restore Nevada, it would restore Montana, it would, Mr. President, aid northern Michigan and some counties in Tennessee. It would at once set to work, with hope and with heart, and with industry and with smiling optimism many workmen in Idaho, Colorado, Utah, and New Mexico.

Senators may talk their fine-spun theories, but when I point them to a system which sets men to work at good wages, no shafts of ridicule pierce such system.

The able Senator from Missouri doubtless will say, because the Senator from Missouri has not only won laurels in the fields of statesmanship, but he has already won and will continue to win greater laurels in biographical literature, that the great Democratic statesmen of our early days were free-traders. I read with pride, not only because he was a fellow Senator but because of my admiration for accurate writers of history, the Senator's Life of John Quincy Adams. I do not perceive why he chose John Quincy Adams; I should have thought he would have chosen some free-trader, but doubtless this able historian will attempt

in the future to tell us that Thomas Jefferson was a free-trader, or that Thomas Jefferson was at least a low-tariff man.

Mr. President, I have 16 letters or copies of letters written by Thomas Jefferson pointing out that if the United States hoped to grow, expand, and become strong and efficient in governmental affairs and a power for good in the world she must protect herself by a proper tariff—letters written by Thomas Jefferson, the saint and sage of the Democratic Party.

And Andrew Jackson—what message comes to us from the Hermitage, from the grand old warrior who announced that we ought to have a protective tariff in order to stimulate and build up the industries in America that were necessary in times of war? By the way, Andrew Jackson was not nominated or even proposed for President by Tennessee. It was the high protective tariff State of Pennsylvania that championed the cause of Andrew Jackson; it was the State which from the writing of the Federal Constitution down to this day has stood for protection. Thomas Fitzsimmons, in the Constitutional Convention in 1787, announced the protective-tariff system from Pennsylvania.

It was James Madison, of Virginia, 8 years as Secretary of State and 8 years as President, who guided through the House of Representatives of the United States in 1789 the first tariff bill. It was that superb intellect—and Virginia has contributed a legion of them; they are here today in the persons of her Senators, although they may not agree with Madison on that point—it was James Madison who in his own hand wrote the preamble of the first tariff bill, which preamble stated:

"In order to protect the industries of the United States and raise revenue."

That preamble was written by the hand of James Madison, from whose hand and brain many great State papers have come.

When Pennsylvania, the high-tariff State, launched Andrew Jackson as a candidate for the Presidency, Martin Van Buren and Aaron Burr—Burr then had fallen into disrepute and was at that time a ruined man—championed his candidacy. I shall not consume the valuable time of the Senate to relate how much injustice has been done Aaron Burr more than to say that he saw in Jackson, as did Van Buren, possibilities of Democratic success. They championed Jackson, whereupon Mr. Ritchie, one of the most—if not the most—distinguished editor in the Democratic Party at that time, wrote to General Jackson and said:

"We have noted that you are advanced as a candidate for the Presidency—that was in Jackson's first race—and we desire in frankness to know if you are going to support the high-tariff system," now I use Mr. Ritchie's words, "and if you are going to support a high-tariff system, the support of Virginia will be relaxed."

Jackson, in a letter that I once could quote by heart—I shall only give it a passing reference—went on to point out to Mr. Ritchie that our workmen without a protective tariff could not compete with the workmen of foreign countries; that our industries could not succeed without a protective tariff; and Andrew Jackson, just as he never did, on that occasion did not retreat. Under the arrows of the enemy in the Creek and Seminole war Jackson would not retreat. When he faced the cold pistol barrel of his fellow duelist, Charles Dickinson, he allowed Dickinson the first shot, and then he fired; Jackson did not retreat. Under the guns on the plains of Chalmette, Jackson did not retreat; and under the political guns which cause many worthy men to retreat who do not even on the field of battle retreat, under the political guns Jackson declined to retreat, stood for a protective tariff, and served 8 years as President of the United States.

I respectfully say to my friend the Senator from Virginia [Mr. Glass], one of the statesmen of the Senate, who, with his superb intellect, adorns this Chamber, that, while I did not agree with him the other day in his speech in support of the Presidential veto, mine eyes, mine eyes have long been dry but tears almost came to them under the majestic spell of his eloquence pleading for what he believed to be right. Although I did not agree with him then, I say to him that I am right on this question, and he is not following the true doctrine of democracy when he advocates low tariffs and free trade. The low-tariff or free-trade doctrine is one that has been engrafted upon the Democratic Party by men who sit in academic chairs and do not have to meet pay rolls.

So I serve notice in advance that the keen thrust, the almost sarcastic suggestion of the able Senator from Missouri that some disreputable thing was done in 1932, when we levied a tariff in a tax bill, falls harmless against the armor of historical truth and the logical position which we Democrats who are in favor of a tariff occupy on this occasion.

Mr. LONG. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Louisiana?

Mr. ASHURST. I will yield for a moment only.

Mr. LONG. Just for a question.

Mr. ASHURST. I will yield for a question.

Mr. LONG. The Senator is not trying to convert the Senator from Missouri [Mr. CLARK] on the tariff question, is he?

Mr. ASHURST. Mr. President, I believe that even the Senator from Missouri may be converted. I refuse to believe that he, with his brilliant intellect, well trained in college—

Mr. CLARK. Mr. President, will the Senator yield?

Mr. ASHURST. I will yield in just a moment—trained in war, a superb lawyer under the tutelage of his distinguished father, whose memory we revere—I refuse to believe that such a Senator will not yield to logic and to common sense.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. ASHURST. Certainly.

Mr. CLARK. I thank the Senator very much, indeed, for his very kind compliment. I should like to say to the Senator, however, that when he offers his amendment providing for a tax of 10 cents on copper the Senate will have an opportunity to decide definitely between two theories, because I intend to offer as a substitute for that suggestion a proposal to repeal all the excise taxes contained in the Revenue Act of 1932.

Mr. ASHURST. The Senator's statement is commendable, at least from the viewpoint of frankness, because he attempted to do that, so I am advised, in the committee; but, of course, when he shall make his motion to strike out these excise taxes, I will then insist that the motion shall not prevail. Why, forsooth, when copper brings \$750,000 in revenue to the Treasury, should that revenue be refused, sir?

Mr. CLARK. What does that tax cost the American people?

Mr. ASHURST. What does it cost the American people?

Mr. CLARK. That is the fairest test of a tax; not the amount that it brings into the Treasury but the amount of revenue it brings into the Treasury in comparison to the amount in which the American people are mulcted.

Mr. ASHURST. What does it cost the American people? Mr. President, I decline further to cavil with one who asks what will justice cost. "Oh, it is too expensive to have justice; let us have more injustice." I do not care to prolong a controversy with a man who is going to refuse justice to an American industry because it costs money.

Mr. President, some years ago in one of the thriving cities of Arizona—I shall not mention its name, as I do not wish to expose some of my friends to what would be good-natured railery because of the position in which they were placed, so I will simply say it is a town well known for its hospitality, well known for its Americanism, well known from the fact that it has poured forth the red metal, copper, into the veins and channels of trade for 50 years; with the knowledge that this town produced vast quantities of red metal, copper, it was thought to be wise, inasmuch as many of the great cathedrals and other monumental buildings in Europe had been roofed with copper for more than 500 years, and that copper was durable, its ductility great, its tensile strength of a high degree, to roof a new schoolhouse in that town with copper. So, with enthusiasm, the trustees of the school district announced in proposals for bids that copper must be used for the roof of the building. Very good. They received the acclaim of their fellow townsmen, who said, "Now, Arizona and America are coming into their own; we are going to roof some of our buildings with copper." However, they overlooked to say "copper mined and processed in the United States", so the contractor sent to a foreign country and, at an exceedingly low cost, brought in great sheets of copper and roofed the building in a copper town in the Southwest with copper brought from a foreign country.

That was a refinement of irony; and the Senate will see now why I did not mention the name of the town and did not mention the names of the men who at that time happened to be on the school board.

I ask unanimous consent to include in the RECORD a table which I have from the Treasury Department, being figures showing the importations of copper and the amount of duty collected thereon since the last revenue act was passed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and permission is granted.

The table referred to is as follows:

Imports of copper and manufactures dutiable under sec. 601, Revenue Act of 1932, June 21, 1932, to Feb. 28, 1934, inclusive

	Rate of duty	Pounds, copper content				Duty collected
		June 21-Dec. 31, 1932	Calendar year 1933	January and February 1934	Total under Revenue Act of 1932	
Copper, formerly free, made dutiable under Revenue Act of 1932:						
Copper ore, n.e.s.	4 cents per pound	200	937		1,157	\$46
Copper in pyrite ore	do	1,520,779			1,520,779	60,381
Regulus, black, or coarse copper and cement copper	do	16,711	1,287		17,998	720
Unrefined, black, blister, and converter copper	do	539,637	1,014,543	224,165	1,778,345	71,134
Refined copper in ingots, plates or bars	do	1,364,901	7,447,257	1,289,311	10,101,459	404,059

Imports of copper and copper manufactures dutiable under sec. 801, Revenue Act of 1932, June 21, 1932, to Feb. 28, 1934, inclusive—Continued

	Rate of duty	Pounds, copper content				Duty collected
		June 21-Dec. 31, 1932	Calendar year 1933	January and February 1934	Total under Revenue Act of 1932	
Copper manufactures on which added duty was imposed by Revenue Act of 1932:						
Brass rods, sheets, plates, bars, and strips.....	4 cents per pound.....	1,653	55,475	360	57,488	\$2,300
Brass tubes and tubing, seamless.....	do.....	12,303	28,771	3,761	44,835	1,793
Brass wire.....	do.....	252	26,004	2,801	29,057	1,162
Bronze tubes.....	do.....	261,924	278,832	70,035	610,791	24,432
Bronze wire.....	do.....	76,977	204,942	30,985	312,904	12,516
Other articles containing copper.....	do.....	9,279	42,926	5,782	57,987	2,319
Articles having chief value of copper.....	3 cents per pound.....	1,122,369	2,329,866	(1)	3,452,226	103,567
Articles having less than 4 percent of copper.....	3/4 cent per pound.....	894,167	1,962,933	(1)	2,857,100	21,423
Articles having more than 4 percent of copper.....	3 percent.....			(1)		5,715
Total.....		5,821,143	13,393,773	1,627,200	20,842,126	712,022

(1) Not yet reported.

Mr. BONE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Washington?

Mr. ASHURST. I yield.

Mr. BONE. I should like to ask the Senator a question. During my service here it is my recollection that I have seen a statement in print that copper ingots have been laid down in New York at 6 cents a pound. I wonder if the Senator knows whether there is any truth in that statement?

Mr. ASHURST. I know of some copper laid down in some ports—I shall not say New York, but laid down in some of the Atlantic ports, and, indeed, at some of the Pacific ports—for a little less than 6 cents a pound, and some at 6 cents a pound. I will ask the Senator from Nevada if I am not correct as to that?

Mr. MCCARRAN. The Senator is correct.

Mr. ASHURST. So, it will be perceived that it is only by a remote excursion into the realms of imagination that anyone can be led to believe that we can mine and produce copper, pay our workmen good wages so that they may live as we claim we want our workmen to live, as dignified American citizens, and compete with Africa and South America, where, I repeat, many of the mines are richer than ours and the workmen wear only what a Senator during the debate a while ago referred to as that well-known article of habilitment, the breechclout, and labors 12 hours a day, and, as a magnate said, "They do not organize; do not bother us with organization." It is not possible for America to compete unless and until we have a proper tariff on copper or an embargo—and I do not hesitate at all to use the word "embargo" if we cannot make adequate provision by a tariff. Unless we shall have one of these, the entire copper-producing business and the copper-smelting industry in the United States will be gone.

Mr. President, may I say that he would be inhuman who wished another war and he would be a fool—I will withdraw the word "fool" and say he would be an unpretending simpleton—who did not see in certain quarters of this earth manifestations working, interchanges and exchanges, sinuous methods, devices being employed that may lead us on ultimately into some trouble; I hesitate to say would lead us into war. I abhor the words so much that it is with difficulty I approach the subject, but should we most unhappily be drawn into any conflict I do not want the United States to be found in the position, if such unfortunate eventuality should occur, as we were in during the World War. When the World War broke out we did not have supplies of manganese at all comparable with our needs, whereupon it was necessary to import manganese, because next to copper manganese is the most essential of all the war minerals.

It will be remembered by Senators that when the steamship *Cyclops* was lost she went down, and the loss of the *Cyclops* will be remembered with grief by Senators, because a nephew of one of our Senators was on board. All aboard were lost. She is now at the Port of Missing Men. No one knows what became of her. Not a spar, not a rope, not a board, not a piece of evidence survives today to tell us what happened to the *Cyclops*. She was laden with manganese, trying to reach an American port from Brazil in order that our factories might make weapons, munitions of war, to help win the World War in which we were engaged. In other words, we had to depend upon foreign countries for our supplies of manganese.

I do not intend to have it said when I retire from public service, "There goes a man who served in the Senate a long time, but he never had the vision to see to it that we of the United States ought to be producing all we need and require, that America should produce her own manganese and her own copper; but supinely he sat and permitted free-trade and low-tariff theorists to allow the importation of copper and manganese into the United States from foreign countries." Whatever may be my political fate, it shall not be charged that I sat here supinely and did not protest against this doctrine of free trade.

Mr. President, let me say a personal word. I am not going to retire from the Senate unless my constituents retire me. From the gathering of my friends it would seem that in my State they

believe they can retire me. Indeed, they have paid me the compliment in my State of bringing out five very excellent and able gentlemen against me. I not only have one opponent to defeat but I have five worthy gentlemen to defeat. Scrubs never run against me. Always high-grade, excellent men run against me. Indeed, one of my most formidable opponents, a sound lawyer, a brilliant orator, well known by 25 or 30 Senators here, named Barnum, and whatever advertising he may obtain out of my reference to him he is welcome to, because if he or any other of my present opponents be chosen, I do not think the Senate or the country will suffer by my displacement or by his election; but, "believe you me", as I heard on the campus at Harvard, they will not displace me without some effort on their part! [Laughter.]

My own displacement might amount to but very little. Possibly there may be half a dozen men here—I shall not name them—whom we would miss upon their retirement, but if I or most of us were to retire, we would leave about the same impression that we would if we put our finger in a basin of water and withdrew the finger. [Laughter.]

I say again, in all seriousness, that I have no apologies to make, here or elsewhere, for my advocacy of a protective tariff. I chose this tariff course for myself more than 14 years ago, and I have adhered to it. Whenever I meet my good friend, the present able and cultured Secretary of State—I am sure he has an affection for me and I know I have an affection for him—I suspect that he knows if I secure opportunity I shall try to induce him to come over to my idea of a protective tariff and thus make America strong and efficient.

I thank the Senate for its attention.

FROM ADDRESS BY SENATOR FESS, MARCH 30, 1932

Mr. FESS. * * *

Mr. President, I have regarded the enactment of the flexible provision in the tariff law as the most important feature of tariff legislation in the last 40 years. I think writing into the law the flexible provision which permits under certain limitations a change in the tariff duty on a single item, without bringing into discussion and throwing open the whole tariff issue, is the longest step toward scientific tariff making that has ever been taken by the Congress. When the proposal was first made some of us questioned its wisdom. One source of doubt was whether in a tariff act embodying many thousand items the rates on individual commodities should be made subject to change by the Executive alone. When it was first suggested the Republicans were somewhat divided, as well as were the Democrats, as to whether under our system such an innovation in tariff legislation was wise. There are still those who have in their minds a doubt as to its wisdom, but the flexible provision has been in operation for a number of years, and I think has clearly demonstrated its wisdom.

When it was first proposed our friends on the other side of the aisle objected to it on the ground that there would be too many changes; that the changes would come too frequently, and thus business would be too much disturbed; yet when the last tariff measure was considered the argument then presented was that there had not been a sufficient number of changes; that there had only been 35 changes of rates, and I recognized at once that the argument was very largely a matter of politics. Still the question involves a sufficiently important issue to justify its being judiciously considered and discussed; and it has been so discussed ever since the pending bill has been before us. I regard the discussion of the tariff question which has taken place on the pending bill as being on as high a plane as any debates on any subject I have heard in this body.

Here is a proposal to change the flexible provisions of existing law. I am opposed to the change. I am opposed to it because it would nullify the very object sought to be attained by the insertion of the flexible provision in the law. If the flexible provision of the tariff act has any merit, or contains any element which should meet approval, it is the possibility which it contains of eliminating the logrolling process that inevitably creeps into general tariff legislation. If it is at all possible, the throwing of the whole question of tariff revision into Congress at one time

should be avoided; first, because under such circumstances, business cannot be stable; and, second, so long as the rates in the various schedules are uncertain there is bound to be more or less of a break-down in the employment of labor.

The purpose of the flexible provision was twofold: First, to minimize logrolling; and, second, to avoid throwing the whole question of the tariff into the hopper and disturbing business everywhere for an indefinite period. The flexible provision affords an opportunity to take up one item in the tariff law and deal with it alone, without taking up all the other items of the various schedules.

The proposal for a flexible provision in the tariff was first given impetus by President Roosevelt, who called attention to it at different times in messages he sent to the Congress, and the movement for it was advanced under President Taft. Its purpose was to avoid the necessity of taking up the whole tariff, but to make provision so that one schedule could be dealt with at a time and dealt with finally without taking up the others, thus offering the basis of trades. "If you do not give me your vote on my item, I will not give you my vote on your item." We wanted to avoid that; and that was a purpose of establishing the Tariff Commission, as well as to find a basis for scientific tariff legislation.

I think the Tariff Commission has justified its existence. The first body was not called a "commission." It was called a "board." After a certain time it was discontinued, as all of us have heard at different times, as a result of Congress refusing to make the necessary appropriation for its operation. The law never was repealed. The Commission simply discontinued its work by reason of being unable to operate.

Then, in 1916, under the presidency of Mr. Wilson, the present Tariff Commission was created, or the skeleton of it. I was for it; Republicans generally were for it, because it was a step in the direction of scientific tariff making in the first place. It also would in a way minimize the logrolling element; but, of course, it would not entirely get rid of it.

Then, as an outgrowth of that, we have the flexible provision. The objection to that in many quarters was that it was not warranted under the Constitution; that it did not have constitutional sanction. Under that particular provision, final judgment was held in abeyance for a considerable time. However, the purpose is good; and that is not only scientific tariff making, not only to put the tariff on a basis where it is possible to deal with 1 schedule without dealing with the other 15, but especially to make it possible to deal with 1 or more items in a schedule without having to take up the others and deal with them.

If there is one ambition that both sides of this body should have, it is to minimize the element of logrolling in tariff making. That is the one objection to former methods that most of us have seen and wanted to avoid. No step has been taken that even approaches the possibility of doing this like the flexible provision; and with that as a background, legislation on the subject is warranted.

We provided that the Tariff Commission, after making a finding, may make its recommendation as to changes of rates on articles on the dutiable list, with the possible approval or veto of the President. I think that is the way it should be. This proposal goes to the very heart of the very issue we want to avoid; namely, instead of its being an Executive function, under this bill it is to be a legislative function. Instead of the matter going to one mind, where unity of decision is not only possible but lack of it is impossible, it is proposed now to send it to 500 minds, where unity of decision is clearly impossible; and again we have the very essence of the injury in legislation that we are trying now to avoid.

I realize the force of the statement that when a duty is changed it ought to be changed by the legislative and not by the executive branch of the Government. I admit that there is force in that; but if the purpose is to avoid logrolling, then instead of going to 500 minds for decision, the matter should go to one. The present law has operated wholesomely, sanely, and rationally ever since it has been on the statute books, and it has justified its existence.

Mr. HARRISON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. PATTERSON in the chair). Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. FESS. I yield.

Mr. HARRISON. The Senator has paid a very high tribute to the Tariff Commission. He says its actions have been wholesome and sane, and he has used many other expressions of the kind. Why, then, was it necessary 2 years ago for the Senator and his colleagues to enact a general revision of the tariff carrying 890 increases?

Mr. FESS. Mr. President, the McCumber law had been on the statute books for some time. There was a general belief that its rates on agricultural products were too low. There was a contention all over the country that there had been heavy importations of various articles from Belgium and other countries of low-paid labor, due to the low rates of the McCumber law, which left similar articles of American production without tariff protection.

The Senator evidently thinks he can leave the inference that the legislation embodied in the last tariff revision was to be a downward revision. That is the first time anybody ever heard of that sort of a suggestion. The downward revision of any tariff law might be necessary; and ordinarily, under the development of our mass production, where competition brings about a reduction of prices, downward revision might be desirable. Our Democratic friends, however, are the people who demand downward

revision. If Republicans start to revise the tariff, Democrats always howl about its being downward; but, on the other hand, when we revise the tariff it is for the purpose of furnishing protection where the protection is inadequate. So it was in the case of this law.

Mr. HARRISON. As a matter of fact, then, as I understand the Senator, while the Tariff Commission is a great institution, it was unable 2 years ago to cope with the situation; and, because of the condition, the Congress found it necessary to change 890 rates.

Mr. FESS. Oh, no. The Tariff Commission will be engaged in constant study, through their surveys, of all the items that are sent to them by order of this body. They will be in session constantly, and when they report on a certain item, in accordance with a resolution that we send to them, if they find that because of any elements that enter in the rate is too low, their recommendation is that it be increased. If the rate is too high, their recommendation is that it be decreased. It is inevitable in the development of the industry that it is not static, and a rate established today will not be a suitable rate 20 years from now. That is inevitable. It grows out of the development of industry, and we ought not to be compelled to throw the whole question in the hopper, and deal with all these issues, if we can get a tariff commission capable of responding to the resolutions that the Senate sends to them to investigate particular items to see whether the rates are too high or too low. That is precisely what the Commission exists for.

Mr. HARRISON. Mr. President—

Mr. FESS. I yield.

Mr. HARRISON. Then I understand the Senator to conclude that whatever rate the Tariff Commission may ascertain should be proclaimed by the President as the proper rate?

Mr. FESS. No; I do not take that position.

Mr. HARRISON. Would the Senator have the Tariff Commission proclaim it?

Mr. FESS. The Tariff Commission gathers the information and makes its recommendation.

Mr. HARRISON. To the President?

Mr. FESS. The President can act upon it favorably or unfavorably.

Mr. HARRISON. The Senator, then, would give to the President greater authority in accepting the recommendations of the Tariff Commission than he is willing to give to the Congress?

Mr. FESS. The Senator certainly would rather have one mind decide a matter in which we are trying to get rid of logrolling than to have 500 minds undertake it.

Mr. HARRISON. In other words, the Senator would rather place the discretion in the President of the United States than in the representatives of the American people. That is truly Hamiltonian.

Mr. FESS. That would be a perfectly safe thing provided the President is acting upon information that has been gathered by a commission created by this body, and this body sends a resolution to the commission asking for their information. That is in accordance with our legislation.

Mr. HARRISON. The Senator is very close to the President.

Mr. FESS. No; the Senator is not.

Mr. HARRISON. Oh, yes; the Senator is. He admits it sometimes when he talks to the newspaper boys.

Mr. FESS. Not any more. [Laughter.]

Mr. HARRISON. But I want to ask the Senator, because I know he is close to the President, what were the reasons that prompted the President to have so little faith in the findings of the Tariff Commission that recently he held up their findings and sent them back to them?

Mr. FESS. Mr. President, we would not give the President the veto power if we did not intend him to use his judgment on the facts that are submitted to him. Why does not the Senator ask me why the President should ever sign a bill or why he should ever veto a bill? That is the very nature of our political organization.

Mr. HARRISON. That would take a good deal of an answer. I can tell the Senator why the President would veto certain bills if I knew what influences were behind them. In this case, however, the Senator from Ohio knows the particular rate I am talking about; does he not?

Mr. FESS. The Senator from Ohio would not risk stating that he knows anything the Senator from Mississippi is implying that he does not say.

Mr. HARRISON. I refer to cherries. As the Senator knows, cherries are raised out in California.

Mr. FESS. In Ohio, also.

Mr. HARRISON. That may be the reason for the President's action. I did not know that before.

Mr. FESS. Very likely.

Mr. HARRISON. But the Tariff Commission found that the rates on a certain kind of cherries should be reduced, and the President would not stand for it. He was unwilling to accept their judgment. He perhaps did not think they had made a proper ascertainment, and so forth; and he sent back their finding. Does the Senator know why that was done?

Mr. FESS. Because it did not meet with his approval. Therefore, the President acted just as the Senator from Mississippi would have acted if he had been in the same position.

Mr. HARRISON. I thought perhaps the Senator would take the other angle. Since he believes so much in the ascertainment of facts by a tariff commission, if they went into the investigation, and it was a fair investigation, certainly he would accept their finding.

Mr. FESS. Oh, no! If we should do that we would not even have them report, either to Congress or to the President.

Mr. HARRISON. In another case, the case of tomatoes; some tomatoes are raised out in California.

Mr. FESS. And in Florida.

Mr. HARRISON. In Florida, but not in Ohio; so the same reason cannot be advanced.

Mr. FESS. Oh, yes; in Ohio, also. We are a great tomato country.

Mr. HARRISON. The Senator, then, would advance the same reason for the President refusing to accept the findings of the Tariff Commission on tomatoes as on cherries, would he?

Mr. FESS. The reason of the Senator is that the facts are not convincing.

Mr. HARRISON. Did not the Senator, in the consideration of the Smoot-Hawley bill, vote for an amendment that compelled the President either to veto or to sign a proposal within a certain time and not leave it optional with him whether or not he might send it back? In other words, it either had to become a law or he had to veto it.

Mr. FESS. The Senator may have voted for it. I do not see why I would not vote for it. I do not recall whether I did or not.

Mr. HARRISON. I understood the Senator to say a moment ago that the President ought to have the power either to accept it or to send it back to the Commission.

Mr. FESS. We gave him that power.

Mr. HARRISON. You did give him the power; yes.

Mr. FESS. The Senator from Mississippi wants to give it to the Congress.

Mr. HARRISON. I want to give it to the Congress of the United States, where the fathers placed it, and where for 140 years we have had it.

Mr. FESS. Mr. President, I appreciate these fine interruptions. Both the Senator from Mississippi and I want to get rid of log-rolling. The difference between him and me is that I am in favor of a plan that would get rid of it. He is proposing a plan that would not get rid of it. I would not say he knows that, but I think he knows that it would not get rid of it, for everyone must realize the result of sending such a matter back to this body for decision, because various sections of the country are interested in various items. My friend the Senator from Mississippi says he has that covered, and he thinks that it is covered by the provision which will not allow an amendment to be offered which is not germane. In the first place, that is a weak undertaking. In the second place, it would not work. Nobody can be a Member of this body for 1 year without being convinced that it could not work.

There would be no limit to the discussion as to whether a particular amendment was germane or not. Under some circumstances a thing is a raw material. In a different set of circumstances the same thing is a finished product, and the finished product will become raw material in some other finished product in whose manufacture it is used. There is no limit to the argument over whether a thing is germane or not.

Secondly, here we are in 1932, with the gold standard abandoned in most of the European countries, with money having been cheapened, and because of that the rates of our protective law are being nullified; and on the other side of the aisle are men clamoring for protection of articles which come from their sections, and if they cannot get it in a tariff bill they will attempt to get it in a tax bill, the tax bill being for the purpose of raising revenue, but protection for the opposite of raising revenue, to decrease the importations on behalf of the home products.

In that situation suppose there comes from the Tariff Commission a report on some particular item on which there is a duty, and they recommend an increase; how many Members in this body will be on their feet to offer amendments to the particular item on which the duty is being considered, just as my friend from Washington is offering an amendment to the pending bill, which I do not think is in order, but which, in all probability, will be held in order? It shows the interest, the keen intensity to seize the only opportunity of getting a vote on an article produced in a particular section of the country; and we cannot blame Senators for such actions.

Suppose a report comes from the Tariff Commission to this body, and a bill is introduced to carry their recommendation into effect. I rise and offer an amendment including another item. The Senator from Oklahoma rises and offers another one. The Senator from Arizona states, "I have an item here that I want considered", and he cannot offer it, but he says, "I want it printed. I want to offer it if the opportunity comes."

When I offer my amendment somebody raises a point of order, and the President of the Senate sustains it. I immediately appeal from his decision. Every Senator here who wants the same privilege of presenting his item will vote with me to overrule the President's decision, and we will open the bill to unlimited amendment. That is what we are doing every day.

The question of germaneness is for the Senate, whether it applies to appropriation bills, or what not. When appropriation bills are involved the question must be submitted to the Senate for a vote under the rule. In other cases it will be laid before the Senate by virtue of the appeal. That is exactly the same situation. Write into the flexible provision language making a report from the Tariff Commission subject to amendment only when it is germane, and see where we will get.

My friends, that is the thing we want to avoid. I am opposed to returning a report of the Tariff Commission, a body created to deal with a single subject, to Congress, with 435 Members in one branch and 96 in the other. There will be the same logroll-

ing the moment that is done, and that is why I am opposed to that. It would be a great mistake if after taking this long stride, the most progressive for 40 years, we turn about and nullify it by adopting this proposal.

I had intended saying something about the consumers' counsel provided for. The substitute contains three outstanding items, the second of which is the provision for the consumers' counsel. All I have to say is this, that I do not think it is very commendable for any Senator to assume that he does not represent the people. I do not think it is commendable for any man to assert that the Government in its agencies does not represent the people. I think it is an offense to suggest that the Department of Justice does not represent the people. I do not think it is commendable to announce that the prosecuting agencies of this Government are representing interests and do not represent the people of this country.

I resent the inference that when I stand on this floor and vote my conviction, although it does not coincide with manufactured clamor in the interest of some particular selfish movement, that I do not represent the people when I refuse to be merely a weather vane to find which way the wind is blowing last. If to represent the people a Senator had to be a weathercock, trying to ascertain what was the last desire of a particular group, I should not want to be a Senator.

I do not take kindly to the suggestion that in tariff matters we have to set up a people's counsel, assuming that the Government, the Tariff Commission, and the people who appear are against the interests of the people as a whole. That is not only an indefensible attitude for a Senator to take, but it tends to create class feeling and intense hatred. It is tantamount to saying, "All legislation is sordid, all legislation is selfish, all legislation is in the interest of somebody except the people, the people only are excluded."

I do not think such sentiments ought to be heard in this body. I assume that every Member of the Senate desires to do what is right in the premises, that his chief concern is to represent all the people, rather than the few.

Mr. McKELLAR. Mr. President, will the Senator from Rhode Island yield to me?

Mr. HEBERT. I yield.

Mr. McKELLAR. I should like to read a couple of paragraphs from another speech of the Senator from Ohio delivered a short time ago on the same subject, if the Senator from Rhode Island will yield to me for a few moments.

Mr. HEBERT. Mr. President, will not the Senator postpone that until the conclusion of my remarks?

Mr. McKELLAR. I do not want to interfere with the Senator, but I think the quotation would be very appropriate at this place, and I think the Senate would like to read it in view of the remarks of the Senator from Ohio about the pending bill today.

Mr. HEBERT. I fear it might open up a discussion which would be rather extended.

Mr. McKELLAR. Very well; I will defer it to a later occasion.

Mr. FESS. Mr. President, the Senator from Tennessee is suggesting that I make a speech at one time and then later on abandoned the principle underlying my remarks. I hope the opportunity will be given him to read what I said. I do not want to interfere with the speech of the Senator from Rhode Island, but I am very anxious to have the Senator from Tennessee read the speech to which he has referred.

Mr. McKELLAR. It is a good speech on that side of the question.

Mr. CLARK. The Senator always makes a good speech on any side of a question. [Laughter.]

LEGISLATIVE APPROPRIATIONS—CONFERENCE REPORT

During the delivery of Mr. LOGAN's speech,

Mr. TYDINGS. Mr. President, I dislike to interrupt the Senator, but I have a conference report on the legislative appropriation bill. It contains provision for the Government Printing Office, whose appropriation will expire tomorrow. If the Senator would yield, I should like to present and ask for the adoption of the conference report.

Mr. LOGAN. I yield.

The PRESIDING OFFICER. The Senator from Maryland presents a conference report, which will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, and 15, and the amendments of the House to the amendments of the Senate numbered 12 and 16 to the

bill (H.R. 8617) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1935, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, and 15, and agree to the same.

Amendment numbered 12: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed by such amendment of the House insert the sum "\$443,880"; and the House agree to the same.

Amendment numbered 16: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed by such amendment of the House insert the sum "\$212,934"; and the House agree to the same.

MILLARD E. TYDINGS,
JAMES F. BYRNES,
MARCUS A. COOLIDGE,
FREDERICK HALE,
JOHN G. TOWNSEND, JR.,

Managers on the part of the Senate.

LOUIS LUDLOW,
WILLIAM J. GRANFIELD,
JOHN N. SANDLIN,
J. P. BUCHANAN,

Managers on the part of the House.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

After the conclusion of Mr. LOGAN's speech,

RECIPROCAL-TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8637) to amend the Tariff Act of 1930.

Mr. HEBERT. Mr. President, the debate on the pending measure has been unusual in two respects. First, until this morning no one has risen to advocate its passage unless it be the Senator from Mississippi in his statement explaining its provisions as it came from the Committee on Finance; and, second, the extraordinarily able and thorough presentation of the arguments of those Senators who oppose its passage. These arguments have ranged from constitutional objections to its objectionable technical phases, and have pointed out the dangers which lie in the course of its administration.

I shall try not to repeat that which has been so well said by other Senators, so I propose to confine my discussion for the most part to what I fear will be its effects upon the industrial life of that part of the country with which I am most familiar, never unmindful, however, that what is true in respect of conditions there may be equally true in respect to every other section of the country.

The Secretary of State in his argument before the Ways and Means Committee of the House of Representatives on March 8 last, as reported at page 5 of the printed hearings, speaking of the so-called "reciprocal tariffs" in other countries and the way they are put into effect, said:

In some cases the legislative branch establishes in advance a minimum scale of duties, part or all of which may be granted to other countries by agreements. The more common practice, however, is to start with a general tariff and authorize the executive branch of the government to grant reductions in the course of negotiations, without prescribing in advance the amount of the reductions, such rates established by treaty then constituting the second or conventional column of the country's tariff. In a number of countries, such as Canada, Poland, Switzerland, Greece, and others, the executive has authority to enter into and make effective agreements such as is proposed by the pending bill without the approval of Parliament. In a majority of cases, while it is true that treaty reductions are not to be permanently operative until approved by the Parliament, it is true in practice that the parliamentary approval is most often a perfunctory matter. The reductions embodied in such agreements are put into operation at least provisionally on a day set by the executive without wait-

ing for parliamentary action. This is especially true in those countries having a responsible cabinet form of government, mainly in Europe, or where the governmental structure is such that the general tariff authority is largely vested in the hands of the executive, as in many countries of Latin America.

I call particular attention to the qualifying phrase in the statement I have just quoted:

In a majority of cases, while it is true that treaty reductions are not to be permanently operative until approved by the Parliament, it is true in practice that the parliamentary approval is most often a perfunctory matter.

If approval of Parliament is required, even in countries where there is no constitutional requirement for it, how much more is such action necessary in our own country where it is specifically provided.

If other countries are able to function under such requirements, then surely the United States can. Moreover, we are not without experience in that direction. We have operated in that way for more than a hundred years, and we have progressed to a point where we have challenged the admiration, if not the envy, of the world.

WORK DONE BY SUBORDINATES

We are told the Chief Executive will use this power with discretion. No one doubts the sincerity of the President. He will not—he cannot—give attention to the multiplicity of details. They must be left to subordinates. We have already observed the effects of the broad and almost unlimited delegation of legislative powers to the Executive.

In this very Congress the executive orders prepared by bureaucrats with the ruthlessness and abandon of Russian commissars, issued in pursuance of that legislation, were found unjustifiable in the case of the treatment accorded to veterans, and were overruled even in the face of a veto from the Chief Executive.

If we pass this bill I venture the assertion we shall again be called upon, and perhaps many times, to overrule the Chief Executive if we are to protect our industries and provide a livelihood for our people—not on the basis of European or other standards but according to those forms not known anywhere on earth except in our own country.

In the formulation of these proposed trade agreements it cannot be that the administration expects there will be any advantage accruing to American industry, even though it be hoped some benefit to agriculture is to follow. Indeed, the formula announced by the Secretary of Agriculture when he appeared before the Ways and Means Committee indicated that industrial activities alone will be affected. He said:

I recognize that any action under this bill, in case it becomes a law, would of necessity have to be rather slow action; that the domestic industries affected by such action should be given the same kind of consideration as we are now affording to agricultural industries. * * *

While every attempt to have the representatives of the administration indicate what articles of manufacture are to be traded away or are to be considered or, as I believe, are destined for extinction, have so far failed, yet we may well infer that finer textiles are headed for the discard if we may judge by the observations of the Secretary of Agriculture.

What, then, may the mill operatives of Rhode Island and New England and other manufacturing centers expect? Are their wages to be increased by this proposed process of extinction and the removal of duties so as to encourage importations of like commodities from abroad? Will it result in giving more employment to them? Will their jobs be made more secure? No one has appeared to answer these questions. At any rate, none of the proponents of this measure has even attempted to do so. Yet an answer to them is vital to the tens of thousands of workers in the fine cotton and woolen and silk mills of New England and other sections of the country. They will want to know—and I submit they have a right to know—whether the administration contemplates trading away their means of livelihood.

Nor are they motivated by mere idle curiosity. They have learned from bitter experience what eventuates under low tariff duties on textiles. Many of them remember the periods of depression following the enactment of Democratic

tariff laws providing lowered rates of duty. They are not anxious for a return of those conditions. I know those who advocate the enactment of the measure will say that the existing duties did not prevent the existing depression. I know the familiar argument that high tariffs have been its cause. The so-called "economists" have shouted it from the housetops, spokesmen for the Democratic administration have reiterated the statement, but they have disregarded the facts, as I shall presently show.

CONSTITUTIONAL QUESTION

Article I, section 8, of the Constitution provides:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises * * * to regulate commerce with foreign nations, and among the several States * * *.

Article II, section 2, provides:

He (the President) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur * * *.

It must be clear to anyone who studies this provision that the sole power to collect taxes and impose duties and excises resides with the Congress. Up to the present time it seems to me there has never been any question about this. No one will deny that the proposed reciprocal tariff agreements to be entered into by the Chief Executive under the pending bill will in effect be a transference of the power of Congress specifically conferred by the Constitution. Whatever these agreements may be called, the fact remains that they are agreements to be entered into between this Government and the governments of other countries. In that respect, they are treaties within the meaning of section 2 of the Constitution, which confers upon the Chief Executive the power to make treaties, provided, however, two-thirds of the Senators present concur therein.

This bill would negative this provision of the Constitution and would place the entire control of the treaty-making power and of the ratification of treaties in the hands of the Chief Executive. If, now, under the parliamentary procedure referred to by the Secretary of State in his testimony before the Committee on Ways and Means of the House in respect of other countries where, as I apprehend, there is no express limitation upon the Government or any branch thereof, as is the case in our own country, there is need for parliamentary action, then how much greater reason is there for having such approval by the Congress of the United States when in point of fact the fundamental law under which we operate specifically requires it.

OUR FOREIGN COMMERCE, FOREIGN DEBTS, AND THE TARIFF

We are constantly reminded that the existing tariff law is responsible for the loss of our foreign trade. For example, I picked at random from the daily press during the past week the following quotation from one of the papers published in the South. Speaking of the pending measure, and comparing it to the tariff law of 1930, this paper said editorially:

Instead of being a blind speculation, that measure (the tariff bill of 1930) was a sweeping loss fully realized before it was enacted. While it was being considered by the Republican Congress some 30 nations protested against its shut-out duties, and threatened to retaliate if the measure was passed. One thousand leading economists protested against it, declaring it would be ruinous to our world trade and urging Herbert Hoover to veto it. Congress and the President ignored the storm signal, and, as a result, our commerce was wrecked.

In the discussion which has been had in the Senate today I noticed that the distinguished Senator from Kentucky [Mr. LOGAN] made an observation very much in line with that to which I have just adverted, that the tariff law of 1930 was responsible for the wrecking of our foreign trade. So I propose to give some facts in the course of what I have to say this afternoon bearing upon that very question.

The quotation just read by me is but one of the thousands of loose statements that have been made regarding the effects of the tariff bill of 1930 upon our foreign trade. The fact is that the present program of the administration, with all of its reform measures, with its lavish expenditures of public funds, distributed with a largess such as no one in this country has ever known before, has done more to delay

recovery than any other one thing. Let it be observed that our own country is not progressing out of the present depression as fast as other countries throughout the world, notwithstanding they have tried none of these new panaceas. Of course, relief for those in distress must be provided. No one in this country can be heard to say that our fellow citizens shall remain in want so long as there are any funds to procure for them the necessities of life, but recovery is one thing, reform is another. As has repeatedly been said to us, let us consider first things first.

My idea is that recovery is and should be the subject of our first consideration. If, thereafter, there be need of reform—and I admit there are some conditions in this country which, for the benefit of all of us, should be changed—they can then be considered in their own proper time.

But let me revert to the subject of the loss of our world trade, which has been charged so many times to the operations of the tariff law of 1930. Let us examine critically the import statistics that are available to us, and which cover the period for the past 2 or 3 years. No one can doubt that imports have fallen tremendously in total value, because the figures show that they have declined from \$4,338,572,000 in 1929 to \$1,423,467,000 in 1933. It is to be noted, however, in passing that imports in 1933 exceeded in value those of 1932 by about \$100,000,000.

As a basis for our observations, I now cite the figures showing the value of our total imports, both dutiable and nondutiable, from 1929 to 1933:

Year:	Total imports	Value
1929.....	\$4,338,572,000
1930.....	3,114,455,000
1931.....	2,088,455,000
1932.....	1,325,093,000
1933.....	1,423,467,000

Having in mind the evidence adduced by Secretaries Hull, Roper, and Wallace, when they appeared before the Committee on Ways and Means of the House earlier in the session, in which they seemed to want to create the impression that this tremendous decline of importations during the past 5 years was due to the Hawley-Smoot Tariff Act of 1930, let us divide the total imports into two groups, one the dutiable articles and the other the articles imported free of duty. We shall then see the facts in their true perspective.

It will appear that the decrease in the value of imports was greater in the case of articles entering free of duty than in the case of dutiable articles. For example, imports entering free of duty declined from \$2,880,128,000 in 1929 to \$901,782,000 in 1933, or an average decline of 68.7 percent. For purposes of comparison, I am including at this point in my remarks the total imports entering free of duty during the years 1929 to 1933:

Year:	Total imports free of duty	Value
1929.....	\$2,880,128,000
1930.....	2,081,132,000
1931.....	1,391,693,000
1932.....	885,536,000
1933.....	901,782,000

By way of contrast, it is to be noted the import value of articles subject to duty declined from \$1,458,444,000 in 1929 to \$521,685,000 in 1933, or 64.2 percent. For purposes of comparison, I am including in my remarks and shall insert at this point a table of the total imports that were dutiable during the years 1929 to 1933, both inclusive:

Year:	Total imports dutiable	Value
1929.....	\$1,458,444,000
1930.....	1,032,954,000
1931.....	696,762,000
1932.....	439,557,000
1933.....	521,685,000

If, now, the decrease in our imports has been due to the Tariff Act of 1930, how does it follow that there has been a relatively greater decrease in the importation of articles that enter this country free of duty? If the charge be true that the decrease in imports can be traced to the Tariff Act of 1930, then we should expect that there would be a greater

decrease in the value of dutiable articles than there would be in the value of articles entering free of duty, and yet the reverse is actually the case.

DEPRESSION DECREASES IMPORTS

Of course, the figures that are available prove conclusively that the decrease in our imports, or, indeed, in our foreign trade generally, has not been due to the operations of the Tariff Act of 1930, but are solely the effects of a world-wide depression. It has come about because of a falling off in our quantity of goods consumed.

Mr. HATFIELD. Madam President—

The PRESIDING OFFICER (Mrs. CARAWAY in the chair). Does the Senator from Rhode Island yield to the Senator from West Virginia?

Mr. HEBERT. I yield.

Mr. HATFIELD. Does not the value in one period as compared with another also enter into the computation?

Mr. HEBERT. Yes; very much so, indeed.

Mr. HATFIELD. For instance, in 1929 the index value was 125.5, as compared with an index value for 1933 of 67.5.

Mr. HEBERT. There is no question that the decrease in the value of commodities has had its effect upon the value as reported in our import statistics.

The quantity of silk, wool, jute, and burlap has fallen off enough to be noticeable. The same thing is true of the items of rubber, sugar, and vegetable-oil group, which, as we know, are free of duty except some certain kinds of oil upon which we have recently imposed a tariff. The same thing is true of other items including perfumes from France and fine textiles from England. The decline in imports in plate glass from Belgium merely represents a decline in the activities in the building industry in the seaboard cities of our own country.

I come now to the very point raised by the Senator from West Virginia [Mr. HATFIELD] in his inquiry propounded to me. A combination of the decline in price and a decline in consumption accounts for practically 100 percent of the falling off in value of importations, both of articles on the free list and those on the dutiable list. Had there been a sudden and very marked decrease in imports of dutiable articles after the enactment of the Tariff Act of 1930, then there might have been some argument to support the charge that the higher rates were responsible for that decrease. The truth of the matter is that under the act of 1930 rates on industrial commodities were raised to a very limited degree, and that 95 percent of all increases in duties provided in that law affected commodities of agricultural origin. In fact, that law imposes average duties of about 16 percent of the value of all imports, both free and dutiable. This represents an increase of 5.2 percent over the Fordney-McCumber Act, which it succeeded, but represents a lower level compared to many former tariff laws. For example, the level under the McKinley Act was 23 percent; the Wilson Act, 20.9 percent; the Dingley Act, 25.8 percent; the Payne-Aldrich Act, 19.3 percent.

Approximately 66 percent of all goods imported from abroad are admitted to this country duty free. In comparison it is to be observed that preceding tariff laws admitted a much smaller proportion of imports without the imposition of tariff duties. Under the McKinley law the proportion was 52.4 percent; under the Wilson law, 49.4 percent; under the Underwood law of 1913, which placed almost all agricultural products on the free list, the average was from 60 percent to 73 percent.

Increases provided by the law of 1930 were made largely on behalf of agricultural interests of the country. The Tariff Commission reported in 1931 that of all increases that were made in this law, 93.73 percent were upon products of agricultural origin and 6.25 percent upon commodities of strictly nonagricultural origin.

The average rate upon agricultural raw materials was increased from 38.10 percent to 48.92 percent, whereas the increase on dutiable articles was, on the average, from 31.2 percent to 34.31 percent.

There were approximately 3,300 dutiable items in the Fordney-McCumber Act, which became a law in the year 1922.

Of these, 890 were increased in the Hawley-Smoot Act, 234 were decreased, and 2,170 remained untouched.

It has been repeatedly charged, both in the public prints and by spokesmen for the Democratic administration, that the rates in the Hawley-Smoot Tariff Act are higher than those imposed by foreign countries. Figures compiled by the Department of Commerce and other Federal Government agencies indicate clearly that a number of foreign countries impose higher duties than those provided in the existing law in our own country. For example, the import duties on wheat coming into the United States are fixed at 42 cents per bushel; the rate in France is 85 cents per bushel; and only recently, in fact, in a Paris dispatch printed in the New York Times under date of the 27th instant, bearing a Paris date line, the statement is made that the wheat tariff of France has been increased to about \$1.57 a bushel. Last July a law was passed in that country establishing a minimum domestic price of about \$2.07 a bushel.

Mr. HATFIELD. Madam President—

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from West Virginia?

Mr. HEBERT. I yield.

Mr. HATFIELD. Then the high tariffs in foreign nations are made largely so that those nations may become self-sufficient in the production of the necessities of life, such as wheat, sugar, chemicals, and so forth. Is not that true?

Mr. HEBERT. That is my understanding. In my travels through France in 1931 I was informed by men in the government departments there that, because of protection afforded to the wheat growers of France, there was a sufficient quantity produced to provide for the necessary requirements of that country without importations from abroad. Following out that policy, I gather from the dispatch to which I have just referred that the production of wheat has increased in France to such a point that they not only will not need any importations from abroad but they will place an embargo against any importation of that commodity.

Mr. HATFIELD. The cost to the consumer possibly would be less than the price they would be required to pay if they imported the wheat.

Mr. HEBERT. I do not know how that has operated. I do know, and I have made the observation in the course of my remarks, that only last July a law was enacted in France establishing a minimum domestic price of approximately \$2.07 per bushel for wheat. It occurred to me that possibly that was rather a high price for wheat even in France. It is much higher than realized by the wheat farmers of this country.

The article to which I have referred added that France had left the ranks of wheat-importing nations and joined those of exporting nations. Such nations as Canada and Argentina, the article said, should abandon all hope of resuming wheat exports to France. Of course, if that is true in respect of Canada and Argentina, it must be equally true in respect of the United States.

The United States imposes a duty on importations of bacon of \$3.25 per hundredweight as compared with a duty of between \$11 and \$12 imposed by France.

Under United States law, the duty on importation of pig iron is \$1.12½ per ton; most other countries listed in the studies made by the Department of Commerce indicate that this is the lowest duty imposed by any country. They range from the figure I have quoted as applying to the United States to \$33 per ton imposed by Mexico. Canada has a duty of \$2.50 per ton.

The United States has a 10-percent duty on the import value of shoes coming into this country, while France has a duty of 15 percent; Germany imposes a duty of 60 cents per pair; Italy 38 cents per pair and 15 percent of their value; Canada 35 percent of their value, while Australia imposes a duty of 90 percent of their value.

LABOR, AGRICULTURE, INDUSTRIES, SUPPORT EXISTING TARIFF LAW

Demands of Democratic politicians for downward revision of our tariff rates have found no response among those most directly concerned—the farmers, the workers, and the in-

dustries of our country. On the contrary, the farm organizations whose representatives in Washington declared the Hawley-Smoot Act to be the most equitable tariff law ever passed in behalf of agriculture, have steadfastly resisted the appeal for downward revision. The leading associations of manufacturers have warned the country that any successful political revision undertaken by the Democrats would mean greatly increased economic distress.

Mr. HATFIELD. Madam President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from West Virginia?

Mr. HEBERT. Certainly.

Mr. HATFIELD. Can the Senator state how long the high tariff rates he has mentioned have been in effect in those European countries?

Mr. HEBERT. They were in existence in most instances long before the 1930 tariff law was enacted in the United States.

Mr. HATFIELD. Can the Senator say whether or not they had been in existence before the enactment of the Fordney-McCumber law or the Underwood-Simmons law?

Mr. HEBERT. A number of schedules of those foreign-tariff laws and some of the schedules to which I have already referred were in force back in those times. In more recent times, it has seemed to me, in anticipation perhaps of the action which it was believed might be taken by Congress at the behest of the President, tariff duties have gone skyrocketing in a number of countries in Europe, I assume for the purpose of trading. I do not know, but that is the conclusion at which I have arrived.

Mr. HATFIELD. Then, it cannot be accurately or truthfully said that the Smoot-Hawley tariff law of 1930 excited the high-tariff rates to which the Senator is referring and which are in existence in Europe.

Mr. HEBERT. Most of them were in existence long before the passage of the Smoot-Hawley Act.

Mr. HATFIELD. Is it not true that in Europe they have been enforcing embargoes against certain products of which they are proud and which they are trying to develop in those countries to the point where they may become self-sufficient? In order to protect those industries, they have embargoed, have they not, the importation of like products from other countries?

Mr. HEBERT. That is a very natural thing for a nation to do. It is not my notion that foreign nations are getting to the point of magnanimity where they would admit our products to the detriment of their own. I have never reached the conclusion that foreign countries were buying our commodities because they wanted to do some favor to us. They bought them and they will buy them in future whenever it is to their advantage to do so. When they can buy them more advantageously at a lower price than they can produce them themselves, then possibly we will get their trade, and not otherwise. We need not be looking for it whenever they can produce that which they need for their own consumption in their own land.

The representatives of labor organizations have not only resolutely defended the present tariff law, but also have appealed to the Tariff Commission for increased duties on commodities which cannot meet foreign competition at prevailing rates of duty.

The reason for labor's approval of the Hawley-Smoot Act is found in the comparison of average weekly wages paid in key industries in this country as compared to those in the leading competing foreign countries. Here are some significant comparisons prepared by the Department of Labor:

To cite but a few illustrations, the average weekly wage in the iron and steel industry in this country in 1931 was \$20.35; in France in 1930, the figures for which are the last available, it was \$9 per week; in Germany, \$12.39; and in Great Britain, \$13.83.

In the cotton-textile industry the average weekly wage in the United States in 1931 was \$13.38; in Great Britain it was \$9.17 in 1928, according to the last available data; in

Germany it was \$9.07 in 1930, according to the last available data.

In the woolen and worsted goods the average weekly wage in the United States in 1931 was \$20.85; in 1928 it amounted in Great Britain on the average to \$9.59; and in Germany it was \$9.07.

In the boot and shoe industry in the United States in 1931, the average weekly wage was \$19.27; in Great Britain in 1928, the last available figures, it was \$10.30; and in France in 1930, \$6.84.

In the women's clothing industry, the average weekly wage in the United States in 1931 was \$22.16; but in France, our strongest competitor, the average weekly wage in 1930 was \$8.56, or just a little more than one-third of what it was in this country.

During the year 1931, we imported more than \$40,000,000 in value of cotton manufactures, including yarns. In approximately the same period, 520 concerns which manufacture cotton goods in this country reported to the Department of Labor that they had had to dispense with thousands of workers. While we were importing woolen manufactures valued at \$23,000,000, thousands of our workers in the textile woolen industry were out of employment. Again, more than 10,000 employees in the leather, boot, and shoe industry lost their jobs, while \$22,000,000 of American money was paid for the purchase of imported leather goods.

Thus we see from authentic and unimpeachable sources that the tariff has had little, if any effect, upon the volume of imports of commodities into this country. The facts are plain for anyone to see. We have imported that volume which our people could afford to buy. Not alone has that been true of imports, but it is likewise true of our consumption of commodities produced in our own country. Even the consumption of staple foodstuffs—bread and meat—has decreased as a result of the depression, and very materially, too. Surely it cannot be maintained that this decrease is due to high tariff duties. It would be equally true if there were no tariff laws; and no amount of tariff tinkering will alleviate that particular situation. It will improve just as it has improved many times in the past when, after a depression, confidence has been restored, and we return to normal conditions.

BILL AIMED SOLELY AT INDUSTRY

To my mind, there can be but one way to put into operation the provisions of such a bill as we are now considering. Clearly, there is no intention, nor would there be any purpose, in changing the rates on agricultural commodities. Of these we produce more than we can consume, and there is no reason why under the circumstances we should not maintain our home markets for our own agriculturists, just as we have in the past. In fact, it has been repeatedly stated that our existing tariffs on agricultural commodities are for the most part inoperative. It follows, then, that whatever changes are to be effected will relate to industrial products; and it may be of more than passing interest to consider the results of the studies made by the Tariff Commission from the enactment of the Tariff Act of 1930 down to the present time.

In the statement of Mr. Robert Lincoln O'Brien, Chairman of the Tariff Commission, made before the Committee on Ways and Means of the House of Representatives, and reported at page 72 of the printed hearings, there appears a summary of the articles upon which the Tariff Commission has reported to the President, and the action looking to a change in duty in every instance. In this summary Mr. O'Brien lists 111 articles. In 20 instances the Tariff Commission recommended increases in duties, and in 26 instances it recommended decreases; in the remainder of the cases, 65 in number, no change was recommended and none was made.

During the past year, when forces other than the tariff law itself came into operation because of the world-wide conditions and the enactment of the National Industrial Recovery Act, I am advised on reliable authority that in only two instances have the Tariff Commission recommended a decrease in duties. In every other case which

came to their attention for study they have found an increase in tariff duties to be imperative in order to protect our industries against importations from abroad.

Of course, it is natural that this should be so, because under the provisions of the National Industrial Recovery Act it is a well-known fact that requirements imposed upon industry have very materially raised the cost of production, and have made it impossible for our industrialists to compete with importations from abroad without not only maintaining our tariff duties but increasing them in a number of instances.

I repeat, the only way in which the administration could bring into operation the provisions of the pending bill would be to sacrifice some of our industries, probably resulting in more unemployment among our own people, for some supposed benefit to accrue to us in our trade relations with foreign countries. Beyond the shadow of a doubt it will be necessary to abandon the existing formula of equalizing the cost of production here and abroad. I venture to say that those of our citizens engaged in industry in this country are not apt to look with favor upon any program which contemplates the destruction of some of our industries for the benefit of citizens abroad.

SECRETARY WALLACE AND THE RECIPROCAL TARIFF

In a speech which I delivered here on April 9 last, I referred to the testimony of Secretary of Agriculture Wallace on the subject of inefficient industries. I called attention to the fact that for the first time—and I think the only time—an administration representative has singled out an industry which is to be subjected to the operations of the reciprocal tariff, and hence to be marked for extension. Secretary Wallace referred to the lace industry, which had its origin in this country in the State which I have the honor to represent in part in this body. Since then, I have had a great deal of correspondence both with those managing the lace industry and with citizens of my State and other parts of the country employed therein.

Among these is one of my fellow townsmen, who is himself a large investor in some of the lace mills in Rhode Island, Col. Patrick H. Quinn, formerly Democratic national committeeman from Rhode Island, and for 4 decades one of the outstanding members of the Democratic Party of my State. Colonel Quinn and I have always been on opposite sides in politics. He has always been as fervent a Democrat as I have been a constant advocate of the Republican cause. I know no one acquainted with him who will question his sincerity in politics or his intense interest in the cause of the Democratic Party in his State and in the Nation.

COLONEL QUINN'S STATEMENT

When the reciprocal tariff bill which we are now considering was before the Committee on Finance of the Senate and hearings were then being had, Colonel Quinn appeared to oppose its passage, and this is what he said:

Mr. QUINN. I appreciate this opportunity to appear today, Mr. Chairman, as a lace manufacturer, because I understand that the industry was reached yesterday, and Mr. Phillips made a very complete talk upon our reasons for being against this bill.

I will try not to repeat anything that he said or read any part of my speech; but because of a question that Senator KING asked this morning of one of the speakers, I should like to put this paragraph into the record.

The Senator referred to a statement of the President, which he made during the campaign:

"I have advocated the lowering of tariffs by negotiation with foreign countries, but I have not advocated, and I will never advocate a tariff policy which will withdraw protection from American workers against those countries which employ cheap labor or who operate under a standard of living which is lower than that of our own great laboring group."

That is the statement of President Roosevelt on October 30, 1932.

I have a good deal of money that I was able to earn as a lawyer invested in two lace mills down in Rhode Island. The lace industry was introduced into Rhode Island at the suggestion of Mr. Shepard, who was consul general in Italy under Grover Cleveland. It lingered along for a number of years, amounting to little until 1909 or 1910, when the Payne-Aldrich bill invited the industry to expand by putting lace machines on the free list. And now it has grown so that it produces one third of all the lace consumed in this country, and that, I say, is not an inefficient industry, and the only thing that could be classed as inefficient about it is that the wages paid in France to the employees of the

industry there are less than one-third what we pay our employees for the same lines of work in this country.

Senator KING. With your superior machinery and your superior technique, and your more efficient labor and your greater use of electrical energy for man-power—aside from that, I presume, however, that your output per man is very much greater than in France.

Mr. QUINN. I doubt that very much, Senator. I know that used to be our argument on the Democratic stump—that the American workman produced so much more than the workman abroad. Because most of our workmen in this industry—that is, the key men who run the lace machines—are Frenchmen from France, and Englishmen from Nottingham.

The CHAIRMAN. You mean that the general rule would not pertain to the lace industry.

Mr. QUINN. I think that is true.

Senator HEBERT. May I ask a question there, Mr. Chairman?

The CHAIRMAN. Certainly, Senator.

Senator HEBERT. Have we ever produced any lace machines in this country?

Mr. QUINN. No; they attempted in Massachusetts to produce a couple down there. A machine concern attempted to build, and did build, I think, two or three machines, but they were not a success. These machines are all imported from France and England.

Senator HEBERT. So that the industry here uses the same machines as they do in Calais or in Nottingham?

Mr. QUINN. Exactly.

Senator HEBERT. Working fewer hours than they do over there?

Mr. QUINN. Yes; fewer hours, and for less than one third of the wages.

Now, I stand exactly with the President where he stood on this question in October 1932. In the town where Senator HEBERT and I live, within 3 miles of our homes, there are a half dozen of these lace mills whose pay rolls turned out into that rather small community amount from \$12,000 to \$15,000 a week. It is a very considerable item.

This is an important industry in Rhode Island. Why do we talk so much about lace? Because we have been warned. Because utterances have been made that we ought to have a fair warning in advance that something is going to happen to us. We have been picked out as one of those industries for the execution.

If that had come only from the Secretary of Agriculture, after listening here all day, I would not have been so fearful about it; but I listened with great attention to Senator COSTIGAN last Saturday afternoon in his debate with Mr. Oscar Villard, which was the first debate I ever attended where the speakers on both sides were in favor of the affirmative. But Senator COSTIGAN named a half dozen to 10 industries, and he named the lace industry, and he named it incorrectly; and I think when a man of Senator COSTIGAN's experience on the Tariff Commission has a wrong idea of what the lace industry is, that it would be strange to some of you other Senators, too.

He talked about the hand-made lace industry. There is nothing of the kind. There is no hand-made lace industry in this country. It is a machine-made lace industry.

I listened with great attention to Senator COSTIGAN, and if you were to take all the industries that Senator COSTIGAN listed as inefficient and unimportant and having, as he said, a protection of 100 and 105 and 110 percent and list them together, the trading value would be practically nil.

Now, may I say in closing, I want to make my protest as broad as I can. I refrain from saying anything more about the lace industry. I want to protest, Mr. Chairman, against the passage of this bill on a broader scope than that of a lace manufacturer. The bill is wrong in principle and will not work in practice, and I want to call to your attention—both of you Senators being lawyers—I think I have followed these hearings fairly well, and therefore I am not astray when I say to you that of all the witnesses who have appeared here as proponents of this bill before your committee, only one, I think, Mr. Graham, of the automobile industry, was what we would call in court a witness testifying to facts.

Who else has appeared in favor of this bill? The opinion of expert witnesses buried my dear good friend Cordell Hull, the Secretary of State, the Secretary of Agriculture, and men of that type, Mr. Former Secretary Stimson—they have simply expressed to you the opinion which I say to you is nothing more than a hope that the passage of this bill will do some good.

I think it will do harm. I do not feel, as that speaker from Texas and one other gentlemen, speaking for the wool industry, this morning suggested, that there might possibly be an apology from a Democrat talking here for protection. That is not my understanding at all. I know of no organized Democratic movement in favor of anything contrary to protection. I have attended every Democratic National Convention since 1900, beginning with that one, except one, and it is only a difference in degree between the two parties.

Senator KING. You mean on the tariff question?

Mr. QUINN. On the tariff question. The only prominent statesman or distinguished economist in this country of whom I have read this year who has gone on record in favor of free trade is Professor Tugwell, and when we find Professor Tugwell fathering the statement that he believes—I am not pretending to quote him, but in substance—no industry that required the protection of a tariff had any business in this country, and, on the other hand, when we find the Secretary of Agriculture spotting out this industry and that industry, which includes my industry, and say-

ing, "You ought to be given fair warning", you can understand, Mr. Chairman, that it creates a disturbance in the section of the country where I live.

I think it would be bad for the country, and in answer to my good Democratic friends who talked here this morning, apparently they belong to the same party with me, and I never belonged to any other party, but I believe it will be bad for the country and worse for the Democratic Party if you pass this bill, and I appeal to the administration now in power in Congress, and I appeal to the men who have the large working majority in both Houses of this country, not to try this upon us.

It is asked for; why? My answer to that will be my closing, Mr. Chairman. Secretary Hull and those other distinguished gentlemen who come here and ask for this, put it upon what ground? The ground of emergency. Not one of them has said that this thing is good inherently. They ask that it be tested. They say that a great emergency has fallen upon us. One of the Senators interrupted Secretary Hull the other day with a question, and when he did, the only answer he could give for it was that the day of emergencies required extraordinary remedies.

Well, if those gentlemen were contrasting present-day conditions with conditions previous to October 1929, I would agree with them that there was an emergency and an extraordinary condition, but there is no extraordinary condition today compared with when President Roosevelt uttered that paragraph that I have inserted in the RECORD.

The CHAIRMAN. Thank you very much.

Senator HEBERT. Mr. Chairman, may I ask Mr. Quinn a question? The CHAIRMAN. Certainly.

Senator HEBERT. This question is prompted by a letter which I received this morning from a man I do not know. I assume from the tenor of his letter that he is probably an importer of laces. He made the statement that it seemed to him that the inefficiency of the lace industry was due to watered stock.

You are familiar with the conditions in Rhode Island, where you and I live. You are one of the investors in the stock of some mills down there. Will you make a statement as to whether or not there is any watered stock in those mills?

Mr. QUINN. It is absolutely ridiculous to charge the lace industry with having watered stock. There are only two families in this country, the Bromleys, of Philadelphia, and the Goffs, of Pawtucket, R.I., who could be classed as rich people. All the other lace mills are owned by people of very ordinary means.

The mills in your town and mine have around 150 or 200 stockholders.

Senator HEBERT. I understand some of them were workmen in the cotton mills who invested their savings in that stock.

Mr. QUINN. Yes, sir; and not a few of them were workers in the lace mills themselves.

The CHAIRMAN. Thank you very much.

Under date of the 26th instant I received from Colonel Quinn a letter which I feel I ought to read to the Senate, because of what he says and because of his expressed desire to have his opinion recorded on this measure, as to the effects it will have, before the mistake is made of enacting it into law. I read:

QUINN, KERNAN & QUINN,
Providence, R.I., May 26, 1934.

HON. FELIX HEBERT,
Washington, D.C.

MY DEAR SENATOR: I am sending you a copy of Advertising Age of December 2, 1933, containing a double-page advertisement of Wallace's Farmer and Iowa Homestead, which I understand to be the papers owned and published by Secretary Wallace and his family.

This advertisement ought to be given a place in the CONGRESSIONAL RECORD before the final vote is had on the pending tariff bill, so that the Democrats of the Senate and of the country may know just what Secretary Wallace's connections and views are when he is at home in Iowa.

In an effort to extend the circulation of the Wallace newspapers, it will be noted that he is promising his home State great things. The following quotations from the advertisement in question are a delightful expression of disinterested statesmanship:

"The flow of Federal cotton money started business booming in the South. What Federal funds will do for Iowa business is evident from the fact that Iowa, from the corn-hog contract benefits alone, will get 10 times as much as the average cotton State got from the cotton bonus, where 16 States shared \$111,000,000."

And again, this disinterested (?) adviser has this choice morsel to offer in support of a larger circulation for his newspapers:

"Uncle Sam has been dotting up maps of the United States to show you where the corn-hog benefits go. The maps below show what he has done to Iowa. You can't see a dot for the dots."

As you well know, Senator, I never voted anything but the Democratic ticket. If I have got to start in now taking my political economy from Republican sources, I want some choice in my selection of Republican mentors.

If the pending tariff bill passes the Senate and if the President of the United States could be persuaded by men of the type of mind of Secretary Wallace to reduce the tariff on New England and northern products 50 percent (something that I hesitate to believe will be possible) the distinguished Secretary of Agriculture would have succeeded in raising more hell in this part of the country than hogs in Iowa. The reciprocal tariff bill, if passed,

will be known as one of the great mistakes in the history of legislation, and I want my humble opinion to have been recorded before this mistake is made.

• Very truly yours,

PATRICK H. QUINN.

Mr. President, I hold in my hand a copy of the advertisement to which Colonel Quinn made reference. It appeared in the Advertising Age, issue of December 2, 1932, and is signed "Wallaces' Farmer and Iowa Homestead, Des Moines, Iowa." The advertisement reads:

"MONEY SPOTS" CAN BE SPOTTED!—CAN BE BOUNDED GEOGRAPHICALLY!

The new fluid, cash money, that is being poured into the money spots can be measured accurately.

Alert sales management can know where—exactly where—there is enough cash, fluid-traveling, unfrozen money, to give bountiful response to sales effort!

Isn't that the simple solution of today's sales problems? Not to be overwhelmed by national or world conditions but to put aggressive sales effort in the cash-money spots—so easily, accurately spotted?

Uncle Sam has been dotting up maps of the United States to show you where the corn-hog benefits go.

The maps below show what he has done to Iowa. You can't see a dot for the dots.

\$300,000,000 FOR IOWA FARMERS FROM CORN AND HOGS

The total of sales of old and new corn, corn rentals, corn loans, hog bonus, and hog sales for the next 14 months should reach a total of \$300,000,000 for Iowa farmers from hogs and corn alone. Of this amount, approximately \$100,000,000 will be in the form of funds advanced by the Federal Government through corn loans and benefits on corn-hog contracts. The balance will come from sales of corn and hogs on the market at the higher prices resulting from the corn-hog program.

This means over \$3,000,000 per county from corn and hogs. Think what this means in spending power.

This new cash money being poured into Iowa between November 1933 and February 1935 makes Iowa the outstanding cash-money spot of America.

FEDERAL FUNDS BOOM BUSINESS

The flow of Federal cotton money started business booming in the South. What Federal funds will do for Iowa business is evident from the fact that Iowa, from the corn-hog contract benefits alone, will get 10 times as much as the average cotton State got from the cotton bonus, where 16 States shared \$111,000,000.

Cash is now flowing to Iowa farmers. The first actual corn loan at 45 cents a bushel was made to a Pocahontas County, Iowa, farmer on Friday afternoon, November 24.

The spending power is here. It remains for the alert sales managers to take advantage of this extraordinary sales opportunity.

Don't overlook the fact that the income of the average Iowa farmer is approximately twice that of the income of the Nation's average farmer.

WALLACES' FARMER AND IOWA HOMESTEAD SUPREME IN IOWA FARM MARKET

Wallaces' Farmer and Iowa Homestead has a total circulation of 260,000. It is read in 92 percent of the farm homes of Iowa.

This means that every hour of the day, 9 out of every 10 farmers who pass your dealers' stores—all possible customers—are long-term subscribers to Wallaces' Farmer and Iowa Homestead, and are familiar with the brand names of shoes, clothing, foodstuffs, machinery, auto accessories—everything that appears on its advertising pages. To get turnover of your product in this major market, you must reach the major number of farmers—the 9 out of 10 who read Wallaces' Farmer and Iowa Homestead.

POST OFFICE COUNT CIRCULATION PUTS FULL TRUTH IN ADVERTISING

Stock turn-over, as influenced by advertising, is strictly dependent upon a coverage in a dealer's own particular locality adequate to create a buying preference at his own retail counter.

Post-office count is a paper's proof that its circulation is uniform and adequate in all parts of its territory to influence business for every dealer.

The farm paper that dares to give a post-office count of circulation must have uniform, unspotted circulation in every community and locality in its territory! No thin circulation in any community!

Wallaces' Farmer and Iowa Homestead offers the only dominant coverage in this exceptional farm market, and demonstrates it by post-office count, which, in the hands of your salesmen, gives conviction to Iowa dealers that advertising in Wallaces' Farmer and Iowa Homestead is of immediate value to them in their own communities.

Write for special literature on corn-hog benefits.

WALLACES' FARMER AND IOWA HOMESTEAD,
Des Moines, Iowa.

INCREASED UNEMPLOYMENT WOULD RESULT FROM PASSAGE OF BILL

In the light of these facts, what, may I inquire, is to be accomplished by reciprocal agreements which, if made effective, must inevitably result in making more severe the competition of the lower wage scales of other countries?

Every one of these tariff treaties will make more easy the importation of some articles which will displace some of our workers and prevent the reemployment of some of the ten millions of our unemployed.

Given the same hours of labor, the same scale of wages, and the same conditions of employment, I venture the assertion that our manufacturers could compete with the world. But who among us is willing to say that our American working men are overpaid, admitting their wages are, on the average, twice those which prevail in other countries? Shall we be heard to say that the American standard of living shall be reduced to the level of the countries with which we are in competition?

In our search for foreign markets for a mere 7-percent excess production over our annual consumption are we to jeopardize the 93 percent and make that available to the workmen of other lands? Are we to embrace the shadow and let fly the substance? My reply is that we shall do those very things the moment we enter into trade agreements such as I am led to believe are contemplated.

Let us assume the President, if given this power, will use it judiciously. No one doubts that. But even its judicious use will not remove its dangerous implications. Not only the exercise of such power may destroy our industries but the mere fact that the power exists is in itself ominous, since it may dry up the sources of capital essential to the continued existence of any business enterprise. Once let it be even rumored that an agreement affecting any particular industry is under consideration and immediately capital will flee from it and its ultimate extinction will not be long deferred.

Capital cannot be secure under such conditions. Industry cannot thrive under such an incubus. With such indecision, such uncertainty, such a disturbance of the existing order, recovery must of necessity be long deferred.

RHODE ISLAND WORKERS WOULD BE IMPERILED

I am not now nor have I ever been engaged in industrial pursuits. However, I am not unfamiliar with the conditions surrounding industry, particularly in Rhode Island. I was reared in the shadow of our cotton mills. Five generations of my people have lived in close proximity to them. Within sight of my home are a score of industrial plants, some of them established more than a century ago. Many of the workers in those plants have spent a lifetime of endeavor there. Some of them were my boyhood companions. I still number them among my friends.

They are my neighbors. They have prospered, many of them; they have reared their families and educated them out of their earnings. I know something of the sacrifices they have had to make through the years. Among them are large numbers of home owners—modest homes—upon which they have lavished their tender care and in which they have invested their all. Most of them could not now change the habits of a lifetime and seek employment in other lines if, as I am convinced, the effect of the pending bill will be to destroy their present means of livelihood.

What I say about the conditions in my immediate neighborhood applies with equal force in all parts of Rhode Island, and, indeed, throughout New England and the industrial East. In my own State we are essentially industrial. Our farming is negligible, though by no means inconsequential. Our dairy herds are among the finest in the world and our truck farming is carried on extensively, but few cereal crops are harvested for the market.

All of these people have honored me with their confidence and friendship through the years. If I were in the course of my service here, by my official acts, to do that which I firmly believe would jeopardize their future well-being, I would be violating that confidence and outraging that friendship which I have treasured for so long. Whatever eventuates I shall not do that. Believing as I do that the passage of this measure will not be conducive to their best interests but will be detrimental to the people of our country, I shall oppose it.

Let it be observed that we have as many factories, as many farms, capable of producing as many of the things we wear

and use and consume as we ever had. We have as many people ready to buy these products just as they did in times of prosperity. The manufacturers are ready to produce if they can find a market. Our citizens will be as ready to purchase as they ever were if we can ever dispel that fear, that lack of confidence which holds them in its grasp.

It is far better to adhere to those forms which we know so well—to have faith in our country and its future, to live in the hope which I believe will not be long deferred than this cloud of depression which has hovered over the entire world for so long will soon be dispelled. It is our task to help restore confidence in this hour of need rather than to dissipate our efforts and waste our patrimony and mortgage our future in a vain effort to remake the world.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the joint resolution (S.J.Res. 123) empowering certain agents authorized by the Secretary of Agriculture to administer oaths to applicants for tax-exemption certificates under the Cotton Act of 1934.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H.R. 8617) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1935, and for other purposes.

The message further announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1780. An act to provide for the discontinuance of the use as dwellings of buildings situated in alleys in the District of Columbia, and for the replatting and development of squares containing inhabited alleys, in the interest of public health, comfort, morals, safety, and welfare, and for other purposes; and

S. 2714. An act to amend section 895 of the Code of Law of the District of Columbia.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1646. An act to promote safety on the streets and highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this act; and for other purposes;

H.R. 2035. An act for the relief of Jennie Bruce Gallahan;

H.R. 6037. An act to exempt from taxation certain property of the National Society of the Sons of the American Revolution;

H.R. 6099. An act for the relief of Alfred Hohenlohe, Alexander Hohenlohe, Konrad Hohenlohe, and Viktor Hohenlohe by removing cloud on title;

H.R. 6130. An act to prevent misrepresentation and deception in the sale of milk and cream in the District of Columbia;

H.R. 7208. An act to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes", approved March 19, 1906 (34 Stat. 70), as amended by the act of March 2, 1907 (34 Stat. 1247);

H.R. 8517. A bill to provide for needy blind persons of the District of Columbia;

H.R. 8987. An act to amend an act entitled "An act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932;

H.R. 9007. An act to amend section 11 of the District of Columbia Alcoholic Beverage Control Act;

H.R. 9143. An act providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died during the World War;

H.R. 9180. An act relating to the incorporation of Columbus University of Washington, D.C., organized under and by

virtue of a certificate of incorporation pursuant to the incorporation laws of the District of Columbia as provided in subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia;

H.R. 9184. An act to authorize the Commissioners of the District of Columbia to sell the old Tenley School to the duly authorized representative of St. Ann's Church of the District of Columbia;

H.R. 9400. An act to exempt from taxation certain property of the American Legion in the District of Columbia; and

H.R. 9622. An act to amend subsection (a) of section 23 of the District Alcoholic Beverage Control Act.

RECIPROCAL TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

"THE SLIPPERY DEAL"

Mr. SCHALL. Mr. President, America is a patient Nation. In the name of emergency her citizens have submitted without protest to an unending series of uneconomic experiments ranging from interference with private enterprise, destruction of competition, the lifeblood of business, disorganization of established institutions, such as our air mail, to usurpation of functions allotted by the Constitution.

"Give the President a chance", the American people were told. And they gave him his chance. "Do not criticize", they were admonished; "that is unpatriotic." So, in spite of grave misgiving, people held their peace, hoping against hope that fine phrasing meant sound thinking, and that back of the wild and reckless hue and cry for change—any change—was some plan, some goal that would mean relief. The resulting state of confusion, bewilderment, dislocation, and danger should awaken even the blind followers of the blind, the mouthers of quick opinion.

On one hand, they claim the emergency to be passed; yet, under the guise of a war on depression, they seek to make permanent the drastic supervision, the flagrant interference with individual liberty and initiative, the violation, and repudiation of the Constitution, "the greatest piece of work ever struck off at a given time by the brain and purpose of man", as Gladstone said.

From a small nation, basing its faith on the right doctrines of the Constitution, we have grown to a mighty nation. If we throw away this mainstay of our greatness, we shall go the way of other great nations which, in a spirit of folly, replaced stalwart principles with experimentation.

It is useless to try to crowd down the throats of our people any program which fails of popular support. Rumbblings are growing, and if they are not heeded patience will turn to fury, and the revolution which the administration boasts of will be upon us.

WE BELIEVED IN AMERICA

For 150 years we had protection. We were nationalists. We believed in America first. We became a great nation on the principles laid down in our Constitution. We had relations with other nations, but we kept our hands out of their politics. Ninety-five percent of the automobiles, the bathtubs, the radios, the aids to comfortable and luxurious living were used within our own borders. By protecting our laborers from foreign goods our standard of living became the envy of all nations up to the time Woodrow Wilson "kept us out of war" by dragging us into it as fast as he could. We did not need to go into that war; we should never have gone in; but the international bankers, who elect our Presidents, wanted us in; so Wilson drafted the soldiers and in we went. The riot of extravagance in the conduct of that war, the spendthrift loans to Europe which they today repudiate, were the essence of today's depression.

Beginning with Wilson there has been a constant fight to drag us down to the level of Europe. Franklin Roosevelt's campaign was won on the theory that conditions could not be worse. The same personnel as in Wilson's time, the same wrecking crew that took us into that war and ruined us, are now in command.

The President's first "noble experiment" when he came into office was to look about for some means by which he could do something that he was not in anywise authorized to do, to look for some secret way of "slipping something over." He did not call it by its right name, a "slippery deal." He called it a "new deal." He did not have any war, as did his predecessor, Wilson; so he invented a war and called it the "war upon depression"—along the line of a war for democracy; you know, where the result of the war for democracy has rendered the world bereft of democracy and rampant with dictatorships.

He needed some show of lawful authority with which to quiet the people while he usurped power. So he instructed his Attorney General to find some pretense of authority, and the Attorney General promptly found a law passed during our foreign war "to make the world safe for democracy", and upon its pretended authority closed every bank in the country, to make sure we reached the bottom of desperation. What little courage and confidence were left were taken away.

The next deed was to kick the soldiers out of their hospitals and off the compensation rolls. The Republicans took care of the soldiers, gave them decent compensation and decent hospitalization, but the international bankers wanted to balance the Budget, so they took it off the soldiers and the poorly paid Government employees.

ROOSEVELT A DIRECTOR

Franklin D. Roosevelt was a director on the board of the International Bankers Association up to the time that he became Governor of New York, and through the International Bankers Association loans to the amount of \$15,000,000,000 were arranged for foreign nations.

The international bankers cannot get back their money or interest on this \$15,000,000,000 loan unless these foreign peoples can sell their goods to us.

Owing to his declaration in Baltimore that "it was preposterous to think of lowering the tariff on agricultural products", and owing to his announcing to the convention that had made it that he was for the Democratic platform 100 percent, it was hardly feasible that the people would understand if he immediately, with his subservient Congress, reduced the tariffs with 12,000,000 men out of work. So he and his banker friends, and big business generally, conceived the idea of starting the N.R.A.—the so-called "National Recovery Act", better known today as the "national ruin act." It was reported that Barney Baruch and his friends had established approximately 1,800 factories in foreign countries, and the Republican tariffs were a little too high for them to make in our market with cheap foreign labor enough money to satisfy their big money ideas. So, why not, under the guise of a war on depression, foist upon the people the National Racketeer Association and place Barney Baruch's partner, "Crack-up" Brigadier General Johnson, in charge of seeing that prices were raised to the level of 1926, while at the same time setting prices for agriculture at an average between 1909 and 1914? The farmers would not notice the disparity; and, if they did, what mattered?—since under the act he could control the newspapers, the radios, the movies, and every avenue of information that the people had, and could, with the taxpayers' money, fill their ears and minds with the propaganda that he desired.

So we have had the N.R.A.; Barney and his crowd have been profiting thereby, and our 12,000,000 still are unemployed; but the last of February the newspapers succeeded in getting into their code the guaranty of free speech, and they began again to feel their freedom and again began to print some of the news out of Washington that had been theretofore so carefully guarded. In only a few months, with some of the real news going to the people, the N.R.A. was shown up in its true light and is now known, as it was feared it would be by those who had given it serious thought, either on the Democratic or Republican side, to be a "flop"; and it became very evident to the administration and his international banker friends that if they were to get back the

\$15,000,000,000 loaned they must have some other scheme to advance now to the people, for further reduction of the tariff.

TARIFF PROTECTION IN DANGER

So we have before us this tariff bill, no doubt sent here to take the place of what was anticipated for the National Recovery Act. Now since the President's power over the newspapers and radios is slipping, he demands power to tamper secretly with the tariff. He has the power now to raise or lower the tariff 50 percent with the aid of the Tariff Commission, on the basis of known facts and figures. But that does not do. He must have absolute power within himself. Like all dictators, he wants secrecy. He does not want the people to know what he is about. It will not bear the light of day. He wants to act, regardless of facts and figures.

Since the N.R.A. is a failure, its life only a question of a few more months, its licensing power expiring in June, as a substitute for the help of the N.R.A. he proposes a tariff law, by which he can lower tariff rates by 50 percent at his own sweet will, to see that the international bankers, by whom he was elected, are taken care of. This, in effect, with the present 50 percent law in connection with the Tariff Commission, would give him power to raise or lower the tariff 75 percent.

All through the argument the statement is reiterated, "We must increase our foreign trade; we must let them sell to us so that they can pay us." Already things have been made easy for foreign manufacturers by reducing our week to 30 hours and increasing our prices under the N.R.A. To help the foreign nations pay the international bankers, the 12,000,000 unemployed are to be sacrificed. He purposes helping further by lowering the tariff and ruining our country and standard of living. This is to be done secretly. No one will know where the blow is to fall until it has fallen. What a power for political aggrandizement!

Of all our trade, 95 percent is within our borders. Foreign trade, even in our period of prosperity, was but 5 percent. It is patent that we shall never have recovery till we get back our own 95 percent. If Hoover had insisted on a protective tariff, after the depression hit us, amounting to an embargo, we should have been "out of the woods" of depression in 6 months, for in July wheat was \$1.20 a bushel and all farm produce was selling for prices in proportion, as well as were industrial products. In 30 days after the N.R.A. went into effect, wheat fell to 75 cents a bushel, and everything else fell in proportion. Building stopped completely. Here in Washington alone in July nine hundred ninety thousand and some dollars in contracts were let. In 30 days they had fallen to \$52,000, and have been falling ever since. This happened in the building industry and in every other industry all over the country. Even now, if nothing had been done, we would at least have been on a par of recovery with other countries, such as England, Canada, and Australia, which are on the high road to recovery, with balanced budgets and money in the treasury. But this eternal quest of the administration for more power, and still more power, together with its communistic regimentation, lock-stepping, individualism-crushing bills of doubtful remedy, has scared and will continue to scare every investing dollar.

The Democratic leaders who support and fight for the President's tariff bill are the same who, in Harding's and Hoover's administrations, condemned the flexible tariff as being unconstitutional.

This bill provides a strange parallel to the taxation without representation of George III, which led to the American Revolution and independence.

AGRICULTURE

Prof. H. J. Gramlich, in a speech delivered before the livestock feeders of Iowa in December, on the subject of the coconut-oil problem and American agriculture, disclosed the astounding fact that the importation of coconut oils from the Philippines has increased from 76,000,000 pounds in 1909 to about a billion pounds in 1933. And now, after killing the farmers' livestock and plowing under our

cotton, the administration wants these coconut oils to come in free of duty.

On October 2, 1929, the issue now before us in the proposal to delegate tariff-making powers to the White House was before the Senate in the form of the so-called "Simmons amendment" to the flexible clause. The Simmons amendment—supported by a Senate majority composed of 33 Democrats and 14 Republicans—provided that changes of tariff duties proposed by the United States Tariff Commission should be submitted to Congress for approval instead of being directly approved by the President.

The question involved was, Should the legislative or the executive branch of Federal Government have direct power over tariff revision or, in effect, exercise priority of control over the Federal tax power?

FUNDAMENTAL CONFLICT

On that day, October 2, 1929, the chairman of the Senate Democratic committee, Senator Swanson, of Virginia, now Secretary of the Navy, delivered a four-page address reviewing the struggles of Anglo-Saxon nations from the day of Magna Carta down through the British and American Revolutions to the present day on the fundamental conflict between democracy and autocracy in control of the tax power. On page 4133 of the CONGRESSIONAL RECORD, Seventy-first Congress, first session, Senator Swanson described the issue thus:

The issue now presented has been an issue from time immemorial. It is, Shall the taxing power in a nation be placed in the hands of one man or shall the people reserve that power to themselves and exercise it as their will and their judgment shall dictate? That is a conflict that has existed in the world since man became civilized. It is fundamental; it is far-reaching; it cannot be shirked. That is the issue here today, and no subterfuge, no sophistry can avoid that one specific issue.

Today, Mr. President, that issue is more specific and direct than it was in 1929. Five years ago it arose in the form of the power to approve a tariff revision proposed after public hearings and thorough investigation and findings by a Tariff Commission of experts. Today we are called upon to make a direct delegation of tariff-making powers and treaty contracts to the White House without Commission hearings and without advise and consent of the Senate. We are called upon to abdicate our treaty-making function and directly delegate to the White House the tariff-revision function without check and without even the knowledge of Congress.

The bill proposes an amendment of article I of the Constitution without submitting that amendment to the people.

CURSE OF MONARCHY

Our Secretary of the Navy, then Senator from Virginia and chairman of the Senate Democratic committee, called attention to a further danger, namely, that the power of the President to revise the tariff included the power to create monopolies for administration favorites. On the same page of the RECORD we find he said:

What was the great curse of monarchy? It was the power on the part of the king to grant monopolies to a few to trade in England or in France or in Spain, as the case might be. One of the greatest curses of government until America was settled was the power given to monarchs to show favoritism, to bestow favors upon their particular friends and adherents, to make men rich or poor as the will of the monarch might dictate. In England privileges were given to favorites which resulted in monopolies in the woolen trade, the sugar trade, the cotton industry, and similar favors were bestowed in France and Spain. Court favorites were made rich by the monarchs who had it in their power to bestow such favors. That was one of the abuses denounced in our Declaration of Independence; it was one of the main grievances which resulted in wresting of Magna Charta from King John, for the King could bestow favors to the enrichment of his favorites.

Yet that very power, raised to a higher degree—the power which our Secretary of the Navy denounced in this Chamber as the curse of monarchy—we are asked today to delegate to the Executive by the very group of Senators for whom then Senator Swanson, their committee chairman, was the wise spokesman in 1929.

In support of the principle enunciated by their chairman, the Democratic members of the Senate Finance Committee

presented a like indictment of Executive participation in the tariff-making power as an encroachment upon the powers of Congress.

Six of the Senators signing that indictment are the six senior Democratic members of the present Senate Finance Committee, including the chairman thereof, the Senator from Mississippi [Mr. HARRISON]. Other Democratic Senators of that committee are the Senator from Utah [Mr. KING], the Senator from Georgia [Mr. GEORGE], the Senator from Massachusetts [Mr. WALSH], the Senator from Kentucky [Mr. BARKLEY], and the Senator from Texas [Mr. CONNALLY]. Likewise, in 1929, the Senator from Oklahoma [Mr. THOMAS] signed the indictment as a member of the Finance Committee.

This is what those Senators said then, and the Constitution with reference to article I has not been amended since 1929 nor the Declaration of Independence expunged—except in slippery new-deal literature.

The following paragraph from that indictment of alleged Executive encroachment upon the powers of Congress occurs immediately after the Senate roll call—page 4150, Seventy-first Congress, first session, October 2, 1929. I am unable to believe that Senators have reversed their convictions on the fundamental gospel of the Republic in this brief space of time. I suspect that a number of the Senators here quoted believe at this hour as they believed then, and have no apologies to make, because none will be required of them. The issue as they saw it then was thus well stated—and I agreed with that statement then, as I do now. Permit me to quote:

The question involved is one that in our opinion strikes at the very roots of constitutional government. It concerns the preservation unimpaired or the abandonment of the power of levying taxes by that branch of government which the forefathers agreed should alone be charged with that duty and responsibility.

In approval of this point of view and in defense of the power of Congress under the grant of article I, the Senate had just voted to support the Simmons amendment by a majority of 47 to 42. I was one of the Republican 14 who, with 33 Democrats, voted for the Simmons amendment. Let me further quote from the minority report of the Senate Finance Committee, of which the present chairman, the Senator from Mississippi [Mr. HARRISON], was then a member, as now:

Authority in the Executive to make the laws that govern the course of commerce through taxation is especially objectionable. It is an entering wedge toward the destruction of a basic principle of representative government, for which the independence of the country was attained and which was secured permanently in the Constitution.

Mr. President, can we find in American history a more admirable statement of the issue, couched in courteous though frank and logical terms, than the above statement of the issue today raised in this tariff bill introduced by the White House?

Then came the charge of secrecy. At that time the indictment drawn by Democratic Senators with reference to Executive secrecy was not particularly plain. Tariff revision under the flexible clause involved public hearings and published documents. Nevertheless, the fear of secrecy inspired a chapter of the Democratic minority report, from which I quote (p. 4151):

PROCESS HELD VIRTUALLY SECRET

The principle is: Are taxation laws and their application to be made virtually in secret, whatever may be said about a limiting rule, or are they to be enacted by the responsible representatives of the people in the Congress, where public debate is held and a public record made of each official's conduct? * * * The arbitrary exercise of the taxing power, all the more dangerous if disguised and not obvious, in its basic character is tyranny.

Mr. President, by reason of the fundamental character of the issue involved, an issue upon which may hang the future destiny of the Republic, if Senators will read the following pages from the CONGRESSIONAL RECORD of October 2, 1929, they will find:

First. The speech of the Senator from Virginia [Mr. SWANSON], including the radio-broadcast address of the Senator from Arkansas [Mr. ROBINSON], pages 4132–4136, Seventy-first Congress, first session.

Second. The report on the investigation of the Tariff Commission by the Senators from Arkansas [Mr. ROBINSON], from Maryland [Mr. BRUCE], and from Wisconsin [Mr. LA FOLLETTE], pages 4138–4139, *ibid*.

Third. The roll call on the Simmons amendment to the Smoot amendment, page 4150 of same, followed by the minority report of the Democratic members of the Senate Finance Committee, pages 4150–4151, all of October 2, 1929.

OVERTHROW OF REPRESENTATIVE GOVERNMENT

In view of the historic fact that a majority of the Democratic Members of the present Senate held, and most logically maintained, that delegation of tariff-making powers to the Executive involved vital dangers, such as, monopoly, secrecy, and overthrow of representative government, I am sure that no Member of the present Senate majority would wish their well-considered utterances ignored now that the issue between executive and congressional control of the Federal tax power confronts us face to face.

I was on the *Mount Vernon* when it was torpedoed and 38 sailors were drowned or scalded to death. There was a hole in the side of the vessel as big as a small house, and in order to save the ship it was necessary to leave the airtight compartments closed. It meant the death of the 38. Our Ship of State is in the same condition. We have been torpedoed. It is the international bankers who are in the airtight compartments. There are about the same number of them, 38. Our President is busy in interviews and over the radio making it appear he is for the 12,000,000 unemployed. But he is not. He is all for opening the ship to the waters of the sea. He would sink the country to save a fraction of 1 percent. We must have a change of captain. We must get somebody, somewhere, with courage to act, to forget the yells of the 38 and save the 130,000,000.

He cannot save his international bankers under the high protective tariff left by the Republicans, and for that reason he took the people's money and inaugurated the N.R.A. It was intended to mask all his actions, to work as a screen to censor newspapers, radios, and movies. Senators will remember that Dr. Wirt was to speak the other day over the radio. He could not get a station. Finally he found a little radio company who was willing to brave the administration's wrath, but not a telephone wire would serve him. As I said in the Senate on the 22d of February, former Senator George Moses was not allowed to speak on the subject, Back to Sanity. Whenever he touched on criticism of the administration they put the buzzer on, and this was done under the guise of the N.R.A. They spent \$100,000 a day for advertising. Once, I am told, it reached \$500,000 per day.

We read in the papers that Bernie Baruch's partner "Hooey" Johnson thinks it is time for another educational drive. More wasted millions!

FREE SPEECH SAVED

When the newspapers got free speech under the code, the President was as mad as a hornet. He struck back viciously, insinuating immorality of the press, and harping upon the elimination of child labor, as Senators will remember. I will warrant it was then he began to cogitate in earnest this usurpation of tariff power, for with this weapon his hand could be upon the throat of every business and farmer in the Nation, which, together with the collecting of the \$15,000,000,000, would moreover furnish the great means of silencing opponents in the coming election.

Anyone knows child labor is not an issue. Nearly all the States have had that law for many years. The morals of the Nation are in no danger from the newspapers.

There is a bevy of propagandists, paid for by the people's money, who see to it that nothing gets to the people of which the administration does not approve. So sure are they of the obedience of a frightened and cowed press, whose license might have been suspended unless they had behaved, that a group of key women from Democratic headquarters at a luncheon, it was told to me, were preening their feathers over being able to counsel neighborhood groups to buy and read their local paper. If they could not afford to buy one each "subscribe in groups. We cannot be accused of par-

tisan advice", these women gloated, "for surely it is not partisan to learn what your country is doing."

I have been told that since I dared to criticize Mrs. Roosevelt's interest in the furniture factory at Reedsville she threatens to withhold her news from any paper that gives me any mention.

This bevy of special writers and radio speakers are paid to twist, misquote, misstate with diabolical cleverness, to poison the wells of information.

FOGGY ILLUSIONS OF BRAIN TRUST

For example, when Silas Strawn made his courageous demand that Roosevelt give "a definite announcement that the emergency is over, and that there will be no more requests for emergency legislation and no more tinkering with the dollar", two characteristic bits of propaganda were inserted cunningly. One—

President Roosevelt is taking a pragmatic, businesslike view of export possibilities, and apparently does not intend to be stampeded by the outmoded dogmatism of theorists.

Yet every act and speech of Roosevelt's are but springes to catch woodcocks, his plans bred in the foggy illusions of "brain trust" dreamers, who have no foundation of fact and experience; and, as Silas Strawn well said:

I find difficulty in consenting to the abandonment of a scheme of government which for 150 years has made us happier and more prosperous than the people of any other nation, and the adoption of a daily portfolio of discordant experiments which seem impossible of being assembled into a new governmental machine.

The second misleading statement was:

There are influential men in the administration, like Secretary of State Cordell Hull, who would go along more or less with Strawn. * * * If protecting the American workingman from the competition of 5-cents-a-day worker in Japan, for example, is economic nationalism, then let the internationalists make the most of it.

A palpable characteristic weasel-worded attempt to cheat. Bernie Baruch and his fellows hire the 5-cents-a-day laborer and want the tariff barriers down so they can ship in their goods. Yet this statement would have us believe that Roosevelt, the second, is concerned with the welfare of the American laborer. Not one statement or action of Cordell Hull's shows him seeing eye to eye with Silas Strawn in his present enunciations. If we should go back when he spoke in Congress against the flexible tariff proposal of Hoover, there might be some comparison. He said, in effect, "No honest man would ask for this, and no President, however honest, should have it."

Impatient as always of criticism, indifferent to the grim discontent of the people, Roosevelt in his reply reverts to his threatening and secretive poison cup and dagger method of attack. He said:

The people as a whole will be impatient of those who complain and those who hold out false fears. It is time to stop crying "wolf" and to cooperate in working for recovery.

Again:

The Federal Government will continue its unceasing efforts to stimulate employment, increase American values, and bring about a more wholesome condition. Private business can and must take up the slack.

He ignores the information as to the real state of the country, the fatal results of the unceasing efforts of the meddling Government. He will not brook advice. The present program will be obstinately carried out despite calamities and despite protests of the people and the sounder men within his own party.

His every effort is to conceal from the people the true facts and to issue misleading high-sounding statements. Darrow's report on the N.R.A. is shelved. The Wirt inquiry was turned into a pillory for that honest patriot. He was prevented from bringing out his facts that a faction of the administration is seeking to bring about a social revolution, though it is common talk here in Washington and in the Government departments and all through the country. A group of workers in Miss Hildegard Kneeland's department, present at the inquiry, stated that what Dr. Wirt said was mild compared to the talk they heard every day.

The discourteous treatment of Dr. Wirt and former Democratic Senator James A. Reed showed a narrow and partisan effort to smother the truth and prevent an honest hearing, to "crack down" on a man trying to render valuable public service. There was no attempt to call Donald Richberg, who said, "The revolution is already here." To add insult to injury, our jesting President nominates the dangerous radical, Rexford Tugwell, to an extra office which he creates, and raises him from \$7,000 to \$10,000 a year, in the face of the fact that this man has openly said for years that he does not believe in the Constitution and openly recommends its abolition; and yet with his tongue in his cheek he takes an oath, knowing as any man must know, and any court in the country having the facts before it would pronounce, that his action is perjury; and perjury in this instance is not only perjury but treason. In his new position, Tugwell can shape the destinies of our long-suffering farmers according to the principles and practices of Soviet Russia, on which he looks with such favor, and which he refers to so constantly.

Tugwell will make a perfect assistant to Secretary Wallace, who stated that regimented public opinion was a necessity. What does that mean but censorship of speech and press? He also said that "our people must change their attitude concerning the nature of men and the nature of human society", and referred to the "enduring social transformation, such as the 'new deal.'" Dr. Tugwell's book, *Our Economic Society and Its Problems*, advocates Government control of all production. It has the 1932 Socialist program printed. He has used his position to have this book circulated in American schools and colleges, perfectly proving Dr. Wirt's charges that the "brain trust" is sowing the seeds of slippery-deal revolution in the minds of our students.

Yet the President's only answer is to try to make a jest of these charges, and Dr. Wirt is insulted and browbeaten for saying what everybody knows.

George W. Christians, of Chattanooga, in a statement which has never been denied, admits he is the author of the statement that Roosevelt is to be the Kerensky of the revolution. Christians is president of the Red organization, the Crusaders for Economic Liberty, and of three subsidiaries, the Crusaders, or White Shirts, the American Fascists, and the Associated Groups for Economic Liberty.

He gives the following report of a conversation with Roosevelt in the presence of Raymond Moley at Warm Springs, Ga., December 1, 1932:

I pointed out to Mr. Roosevelt that Kerensky had been successful only until the Czar was removed—he failed because he was unable to reconcile the jealous elements of the revolution. * * *

I predicted that President Roosevelt would be the Kerensky of the new economic revolution, and that a stronger man, a Lenin, would arise and lead the masses to true liberty. * * * He couldn't close the wide gaps in American thought * * * and he would be succeeded by a dictator who could.

No leader has ever arisen to remain at the head of a government continuously during the three phases of a revolution, and I told Mr. Roosevelt so. Mr. Roosevelt listened patiently to me, and then replied, "Well, Oliver Cromwell did."

The only reward Dr. Wirt got for his heroic attempt to reveal actual happenings in Washington was stubborn official resistance, slander, and intimidation, just as did Colonel Lindbergh when he sought to remind the President that a fair trial was one of the requisites of our Government. The six witnesses called ganged up on Dr. Wirt, and testified to a whole-cloth denial, after they had a meeting to discuss what their testimony should be. Senator Reed, whose fearless patriotism has never been questioned, a member of the administration's own party, said, after the mock hearing—

If they will give me a committee that isn't gagged, I'll have no difficulty in proving that Dr. Tugwell and others in the Government are advocating doctrines which I regard as revolutionary in character. I don't know how far this movement is going in this country. I shudder when I think of the possibilities.

RUSSIAN COMMUNISM IN MINNESOTA

I could say to Senator Reed that one of the wide scopes of this slippery deal is that it has been incorporated in a Russian, communistic platform adopted by the Farmer-Labor Party of my State, whose object is to test public

opinion in the State of Minnesota to ascertain if slippery-deal revolution is feasible in Minnesota in 1934, and, if so, to install it throughout the United States in 1936.

I surmise that the Farmer-Labor Governor of my State, who is the candidate for reelection upon this Russian, Bolshevik, communistic platform, is to be well taken care of in case this bold slippery-deal experiment fails; for the President told me last August that no political appointment would be made in Minnesota contrary to the Governor's wishes. In compliance with the administration's desires, the Governor strenuously tried, but failed, to put through a special session of Minnesota's Legislature a Minnesota ruin act, known as the "M.R.A." Accordingly, the Governor was made the head of the N.R.A. for Minnesota, and resigned that to become the head of the C.W.A. and the F.E.R.A., the Federal Emergency Relief Administration.

I predict that this test will fail, even with the Governor's immense war chest collected from office-holders' salaries, and other devious racketeering devices. He will undoubtedly collect heavy tribute from the pirates who are trying, through this experiment, to scuttle our Ship of State. If this program carries in Minnesota this fall it will be the first outpost captured in an attack upon every State in the Union. I pray, I hope it will fail, because the people of Minnesota are less than one-half of 1 percent illiterate; and even under the sinister secrecy of this administration and its censorship of every avenue of information they will be able to read between the lines.

In his new book, *On Our Way*, the President states:

If it is a revolution, it is a peaceful one.

He makes the following statements, which are absolutely at variance with the facts:

Some people have called our new policy "fascism." It is not fascism, because its inspiration springs from the mass of the people.

"Springs from the mass of the people." Where does he get that people championship? The Democratic platform, a solemn covenant with the people, upon which he was elected and which he approved by word of mouth before the convention when he said, "I am for this platform 100 percent", he has utterly repudiated. Not one plank of it has he carried out; and in that platform was not one inkling of what he has actually done. The only way this administration's actions spring "from the mass of the people" is like Dickens' artful dodger running with the crowd, chasing Oliver Twist, calling "Thief! Thief!" and me with the wipe in me pocket."

The President again says:

Rather than from a class or group or marching army.

It is said he is intending to arm and train his C.W.A. workers—a clever ruse of the President's to collect all the young blood of dissatisfaction in the country, including the Communists, into one great army whose leader is F. D. R. His benevolence and greatness is constantly dinned into them through speech, radio, and literature—

Moreover, it is being achieved without a change in fundamental Republican method. We have kept faith in and with our traditional political institutions.

Yet he is working as fast as he can to arrogate to himself all the essential powers of the legislative and judiciary branches.

POWERS BEING FILCHED

Last session the President demanded and took from Congress and the judiciary, 77 powers, according to Gareth Garrett. I do not know how many more have been and will be taken this session. Every bill is in itself a little dictatorship. Every bill contains some dark secret method of usurping absolute power, either in the hands of the administration or in some left- or right-arm trusty.

Democratic President Wilson advocated "open covenants, openly arrived at." This administration talks of open covenants, but every demand he makes upon Congress is for secret exercise of power under the guise of emergency—the drummed-up war on depression. Our Government, according to our Constitution, is a government of laws, not

of men, not of despots, not of dictators. Our evolution should be in the open; and if we are to have revolution, it should be understood by the people what is being done, and their approval should be secured before its attempted accomplishment.

This administration has no mandate of the people to do what he is doing. Nobody knows the devious source of his insidious demands on Congress. The plot of revolution, or evolution as he terms it, is being hatched in the dark, under cover, under secrecy. If the people will elect an opposition House and Senate, they will kick over the boards and expose to the sunlight the slimy, crawling things beneath.

The President has departed completely from the policies of Washington and Jefferson and Lincoln, Theodore Roosevelt, Jackson, and Cleveland.

Again, he says in his book, *On Our Way*:

Some people have called it "communism"; it is not that, either. It is not a driving regimentation founded upon the plans of perpetuating directorate which subordinates the making of laws and the processes of the courts to the orders of the Executive.

A direct denial of his aims and actions. Such bare-faced effrontery of American intelligence surely will meet its reward.

Again, he says:

If it is a revolution, it is a peaceful one, achieved without violence, without the overthrow of the purposes of established law, and without the denial of just treatment to any individual or class.

Words, words, words! What an answer the little business men and the farmers all over the country could make to this last misstatement if only their protests could come to light! He talks of the common fellow, but his deeds are all for the 38 international bankers.

The voice of Jacob for the people, but the hand of Esau is on the directing lever in the interests of the international bankers and the 600 trusts.

The President's administration is not the will and expression of true Democrats. They have endured with silent bitterness seeing their hands tied and constitutional prerogatives filched from the people. No wonder the Democrats, for the first time in scores of years, failed to hold a Jefferson's birthday banquet. The incongruity of it was too glaring.

If I were disposed, I could quote all day from distinguished Democrats their repudiation of the actions of the administration.

VAST BUREAUCRACY FASTENED UPON US

A prominent Democrat, Bainbridge Colby, former Secretary of State under President Wilson, said, as quoted in the *Washington Herald* for Monday, May 28, 1934:

A vast bureaucracy has been called into being and fastened upon us without our realizing it, much less authorizing it.

Gradually it has dawned upon the country, and it is now quite plain, that recovery was only partially the aim of the administration. A great part of its interest has been in radical institutional overturn and new modeling of the state.

The guarantees of the Constitution are dismissed lightly as if they were irrelevances in the present-day life of America. The basic principles of the Constitution, we are told, must be somehow got around.

But if one will review the history of past crises, it will be seen how splendidly the Constitution has met each one and how faithfully our highest Court has discharged its duty as the Constitution's guardian as well as its interpreter.

It is the most American thing about America. Darkness shall not envelop it.

Hear what another great Democrat, ex-Senator Thomas, has to say:

[Copy of a letter sent to ex-United States Senator Jonathan Bourne, Jr., by ex-Senator Thomas to Senator ELMER D. THOMAS]

DENVER, COLO., April 15, 1934.

HON. ELMER D. THOMAS,

United States Senate, Washington, D.C.

MY DEAR SIR: Your letter of the 5th instant, enclosing copy of your speech before the National Women's Democratic Club, was received in due course and should have been answered before. The subject, however, has become so disgusting to me, because of present conditions, that I have not had the heart to consider it much further. I am obliged to you, nevertheless, for your consideration of me in the premises. I may say that I am not in any way disappointed with this administration, and have felt ever since it began that our party was under the thrall of the most determined and at the same time the most ignorant

influences that have ever been dominant in national affairs so far as its financial policies are concerned. The President seems to be constitutionally opposed to the bimetallic system of money, knows nothing about it, does not want to know anything about it, and is congenitally averse to its discussion. All of his advisers, and those possessing his confidence, seem to be equally ignorant and set against it. I have had that intuitive feeling from the start. Hence, I am not disappointed with the developments of the administration. We never had and never will have a look-in. Those who have directed financial legislation and who dominate the banking interests of the country have perceived the opportunity involved in the prevailing monetary conditions, which are more than chaotic, for a change of status of which advantage could be taken to the limit and which nothing but an overwhelming political sentiment could prevent. Hence control and management of the new President has become of outstanding and overwhelming importance. The result up to date must have been more than satisfactory to the advocates and proponents of the single standard.

Mr. Roosevelt's absolute domination of the party has been obvious from the moment of his inauguration. To my mind the banking panic, coming as it did with the new administration, was the most successful and best-planned event in the financial history of all time. That it has not been suspected and charged before is not its least feature. I am convinced that every step taken by those in power was taken in advance and occurred accordingly. The abdication by Congress of its powers and prerogatives was too rapid and the emergency legislation enacted without deliberation was possibly only as a result of that catastrophe. Hence, the retirement of gold and the penalizing of its mere possession. Its demonetization, the debasement of its standard value in exchange and all the benumbing consequences were not a haphazard series of events, but the whole thing was fore-planned and made possible by a preconceived succession of events. What could not be planned was assumed, with consequences equally satisfactory. Our silver forces capitulated before they could be prevented and our so-called "leaders" in that movement hoisted the white flag, threw down all defenses, and surrendered in advance, and the administration did not hesitate to ride roughshod over all the safeguards and defenses essential to every government, and Mr. Roosevelt became, and since has been, as much a dictator as Stalin or Mussolini.

As far as I can see, the Department of Justice has also capitulated, so that Congress and the courts are equally subject to the prevailing conditions. My life is spent and I am not personally concerned with the consequences, but I did expect something at the hands of those responsible for some show of relief through the American Congress calling itself Democratic. Their abject cowardice and lack either of principle or public spirit admits of no extenuation or excuse. Their capitulation will inevitably prove to be that of the Republic. Hence, I solemnly affirm that the present President of the United States has in my judgment not only deliberately violated every principle embodied in the American Constitution indispensable to the preservation of what we were once pleased to call American liberty, but by his usurpations has struck a vital blow to the continuance of American institutions.

I have always believed that the demonetization of silver was the first step in our progress toward political extinction, and now I know it.

I am sending copies of this letter to a few of my old friends and collaborators without any restrictions upon such use as they may see fit to make of it.

Yours most earnestly and sincerely,

C. S. THOMAS.

P.S.—If Roosevelt is a Democrat, I am not and never was. He should never dare to assert political kinship with any member of the party now or heretofore having the remotest conception of the word. It is nothing but a memory of something that now stinks to heaven. He should be repudiated as something anathema. If he is not he must be accepted by posterity as everything that he is, that he is a colossal falsehood, false to mankind, and false to every tradition of the generation he commanded that he might betray.

Very sincerely yours,

CHARLES S. THOMAS.

William Randolph Hearst was as surprised as anyone else when he found he had sponsored a Frankenstein monster. Father Coughlin went along as far as he could, and when the reality faced him and he had to speak, he was cut off from his radio public.

Our condition is most grave and menacing, the more so as our leaders choose to smile and jest, to give humorous replies to laugh off all criticism. By their insouciance they lend aid and comfort to communism and anarchy, and by their childish injustice and reckless stupidity and mis-handling they foment rancor in the breasts of otherwise law-abiding citizens. This situation, of their own devising, has prepared a fertile field for the dragon's teeth sowed by our international enemies.

With the recognition of Soviet Russia our channels were opened to the bold and outright dissemination of com-

munist doctrine; what had been done stealthily is now done openly. There has been disclosed irrefutably in the Hearst papers, during the past months, the perils that beset us through the spread of communism.

Ralph Easley proved by photostatic copies of letters and documents, whose authenticity has never been denied, that Reds are working actively in our navy yards, our schools and colleges, our towns and cities, spreading their propaganda of unrest and overthrow of government. Nothing was ever done about it.

INTERNATIONAL MERCHANT MARINE DOMINATED BY BRITISH

Another series of articles proved that the Roosevelt Steamship Co., a 100-percent-owned subsidiary of the International Mercantile Marine, is delivering our merchant marine, ship by ship, to the International Mercantile Marine, which is in turn American owned but British controlled, because they have a contract with the British Government which provides that they cannot commit any act injurious to the British merchant marine or British trade. This contract prevents the International Mercantile Marine from ever operating honestly any American ship on the North Atlantic because it would be in competition with British ships, and this would clearly be an act injurious to British trade and the British merchant marine.

The International Mercantile Marine is dominated by the British Government, because the interpretation of what constitutes an injurious act is reserved by the British Government, and the person who makes the decision as to the injurious acts is the Lord High Admiral of the British Navy.

It was this contract, which is in force, that destroyed the *Leviathan*, and it is this contract which threatens every American ship that falls into the hands of the International Mercantile Marine. Because of the existence of this contract, the International Mercantile Marine tracked down, through the Roosevelt Steamship Co., the prize ships of the United States Government war-time fleet, and have them now in their possession. It is interesting to know that in case of war we would find our merchant marine under the control of the Lord High Admiral of the British Navy.

Two fearless college lads, Walter Donnelly and William Sardo, set forth the college situation, and the proof that it is true is, again, that nothing is being done. They are on the ground and know what they are talking about. These boys say that the schools and colleges of the Nation are being flooded with foreign communistic propaganda, often with the encouragement of the faculty. They name the organizations which are openly carrying on these activities.

I shall ask that certain excerpts from newspaper articles be printed at the conclusion of my speech.

STATE DESTROYING INDIVIDUALISM

Europe calls it the Yankee trek to Moscow. In this Soviet Russia, which is held up to us as a shining example, to whose wrong principles our addled "brain trust" is committing us with feverish haste, 5,000,000 people died of starvation winter before last. They do not dare to complain. They are shot if they do. Delegations visiting are shown just what the propagandists want them to see. It is like the progress of Prince Buddha through the flower-garnished streets of the city—all the ugliness, the suffering, the dirt carefully hidden away. If, when they come back, they say anything not nominated in the bond, they cannot ever go back. There can be no mention of the deadly weakening effect of substituting the state for the individual.

We have had depressions before, thirty some, but this is the first time we have called in the Government to save us by wrecking the Constitution. Can it be American citizens are cast in softer mold; that they will not waken and rally to their own salvation? Surely they will not sit supinely by and permit this buying of votes with the people's money; this killing of initiative and industry; this squandering of our national wealth and resources. The move to make the individual the creature of the state and the state the creature of a few officeholders has gone far. The credit of the Nation has been disrupted. Small businesses have been wiped out. Savings of the thrifty have been gobbled up.

Capital has been relentlessly punished. The public debt has been enormously increased by an Ossa upon Pelion of clumsy, expensive, high-salaried commissions and duplicate bureaucracies, which pry into and endeavor to control every human activity. Voice a complaint, and the answer is a new commission.

The danger to American institutions, the list to the left, is so great that the question is removed from the realm of partisanship. It is a call to the Nation, regardless of party. The people were deceived by the slogan, "The new deal." They had no thought of voting-in a revolution or an industrial dictatorship. The Democratic platform, which they thought they were voting-in, has been abandoned in favor of the Socialist platform.

It is time for definite action and sharp command to halt the headlong rush to chaos and Red ruin. The "brain trusters" do not want recovery. We were well on the way to recovery in August and September of 1932. They purposely intermeddled and thwarted what would have been a natural and inevitable rebound, hoping that the people in their agony and starvation, their hopeless inability to escape, would welcome anything, even this revolution, on the familiar old theory that "it cannot be worse."

Mr. President, I now ask unanimous consent that certain excerpts from newspaper articles be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

1. The Communist Third Internationale.
2. The National Student League, a directly affiliated organization, which takes its orders from New York City, 114 West Fourteenth Street.
3. The Friends of the Soviet Union, directly affiliated, with headquarters in Washington.
4. The Young Pioneers of America, boldly communistic, of 43 East One Hundred and Twenty-fifth Street, New York City, which has a slogan entitled "Smash the Boy Scouts."
5. The Young Communist League, of New York origin.

Each of these has a publication or propaganda sheet, in which they call on American youth to prepare for coming class struggles. Playing directly into their hands, by urging the abolition of the patriotic organizations and preparedness activities fostered by the United States Government are:

1. The World Congress of Youth Against War and Fascism, 104 Fifth Avenue, New York.
2. Intercollegiate Council on International Cooperation, 2929 Broadway, New York, which was founded at Geneva, Switzerland, and is operated by a group of graduates from some of the largest and most distinguished American universities.
3. Affiliates of the Intercollegiate Council of International Cooperation, including the Young Men's Christian Association, the Young Women's Christian Association, National Student Federation of America, League of Industrial Democracy, National Student League, and a long list of others, names of all of which we have. One other, the National Council Student Christian Associations.

Practically every school or college in Washington has been subjected to the campaigns of these organizations.

Only recently at Georgetown the Hoya, a student publication, was embarrassed to find in it an advertisement by the Friends of the Soviet Union, offering a free trip to Russia this summer, for "educational" purposes, to the student selling the most subscriptions to the Friends of the Soviet Union organ.

FACULTY MYSTIFIED

How this advertisement crept into the publication is a source of great mystery to the faculty, which has started an investigation to learn how such unauthorized material crept in.

Howard University, a school maintained by the United States Government, is a hotbed of such activities. The National Student League, which is one of the most directly affiliated of the Communist branch organizations, has even gone so far as to hold a national convention at Rankin Memorial Chapel there.

At Maryland University pacifist activities have been rampant for some time, and unpreparedness advocates made a great display of the "martyred" students who were expelled for refusal to serve with the R.O.T.C.

One Tucker Smith, secretary of the committee on militarism in education, visited the president of the university and declared that he was acting in behalf of the two students who were expelled for their refusal to take part in the R.O.T.C., and made veiled threats of unfavorable newspaper publicity for the school. He said he was present at the boys' request.

GEORGETOWN INCLUDED

The National Student League claims to have an organization at Georgetown University, which has managed to escape identity by faculty or patriotic students. The National Student League and other organizations are flooding Georgetown and other schools here with questionnaires. However, at Georgetown, at least, the

faculty is exerting every effort to find all such material and send it back to its sources as rapidly as possible.

We have stated the case in Washington only briefly, trying to show what are the chief organizations at work here undermining traditional American ideals and attitudes among the students. As a matter of fact, Washington schools have repelled these invaders more successfully than some others, notably those of New York.

In tomorrow's article we shall describe in detail the Communist and unpreparedness machines, which seek to organize in student groups.

Persons prominent in civic and church life, unrealizing of the paths into which they are being led, have contributed heavily to support such bodies. We shall reveal their names and the procedure they endorse also.

The N.S.L., which boasts of organizations in 129 colleges and universities in this country, sets forth as follows:

"We demand abolition of the R.O.T.C., equality of students of all races, colors, creed, and nationality, transference of State and governmental appropriations for military purposes into funds to be used for needy students' relief, right of students to petition, hold meetings, or conduct strikes on or off campus, destruction of all illusions of race supremacy as fostered by our educational system."

Then, after denying that it is a "red organization", its yearbook for 1933 says:

"The fact that the school and city officials are opposed to Communists does not mean that the student body should also. On the contrary, we have found in the course of our struggle that the Communists in our organization have the clearest understanding of student problems and their relations and often provide us with the best leaders. Not only that, but our struggles often show, notably in the City College (N.Y.) case, that the Communist Party is the only political party prepared to give the student body concrete support in its studies."

The yearbook also states that there is a Young Communist League, with which we shall deal further on in this article, which also functions in the schools and colleges. Communism, it further says, has advanced education, while followers of other political beliefs have brought curtailment of it.

PUBLISH MAGAZINE

The N.S.L. publishes a monthly propaganda magazine, Student Review, which devotes its whole space to editorializing in stories of the revolutionary and antipreparedness sentiments it has announced. The advertising space in it is usually almost wholly taken up by Soviet Government agencies, such as Torgsin, the trust which has set up a series of 5- and 10-cent stores in Russia, and solicits purchases from America.

Also, Amkniga, a publication agency, takes considerable space to offer all kinds of Communist official literature. Other advertisements offer "food at proletarian prices", and "workers' dances."

Such is the N.S.L., which, as a prime principle, would abolish patriotic preparedness training in American schools and colleges.

A more frank organization is the Young Pioneers, strictly communistic, whose publication, New Pioneers, is couched for the grade-school student's eye, with cartoon strips, puzzles, and "proletarian" games to supplement the simply worded stories. But, like the N.S.L., it champions resistance to patriotic appeals for preparedness.

The Pioneers, incidentally, are out to smash the Boy Scouts as capitalistic manifestations and children prepared for imperialist war. Also they distribute Red songbooks, in which are words and music of such hymns as the famed Red marching song, "The Internationale", "Hit, Hit, Hitler", "Come, Comunard", "Red Star", and "Our Emblem."

FIGHTS CAPITALISM

The Intercollegiate League for Industrial Democracy, too, is more frankly violent in the open than is the N.S.L. It states through its publication, Student Outlook, that it fights against war, capitalism, race prejudice, and intellectual sham.

Organizations of similar temper which were subject to call for the World Congress of Youth Against War and Fascism, to be held in Paris last summer, include the American Committee for Struggle Against War, Anti-Imperialist League, Fellowship of Reconciliation, Green International, International Workers' Order, Labor Sports Union, National Lithuanian Youth Federation, National Student Committee, Negro Student Problems, National Student League, Nature Freundel Needle Trades Workers Industrial Union, War Resisters' League, Young Pioneers, and Young Communist League.

W. Walter Ludwig, secretary of the Pioneer Youth of America, and E. C. Johnson, secretary of the committee on militarism in education, also notified the congress of their availability.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the bill (S. 2980) to modify the effect of certain Chippewa Indian treaties on areas in Minnesota.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 3170) to revise air-mail laws.

The message further announced that the House had passed a bill (H.R. 9322) to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 195. An act respecting contracts of industrial life insurance in the District of Columbia;

S. 1757. An act to amend an act entitled "An act to incorporate the Mount Olivet Cemetery Co. in the District of Columbia";

S. 2508. An act authorizing the Secretary of the Interior, with the approval of the National Capital Park and Planning Commission and the Attorney General of the United States, to make equitable adjustments of conflicting claims between the United States and other claimants of lands along the shores of the Potomac River, Anacostia River, and Rock Creek in the District of Columbia;

S. 2580. An act to exempt from taxation certain property of the National Society United States Daughters of 1812 in the District of Columbia;

S. 3257. An act to change the designation of Four-and-a-half Street SW. to Fourth Street;

S. 3442. An act to dissolve the Ellen Wilson Memorial Homes; and

H.R. 8617. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1935, and for other purposes.

AGRICULTURAL ADJUSTMENT ACT

Mr. FESS. Mr. President, I have just received a telegram from Chicago which I send to the desk and ask to have read.

The PRESIDING OFFICER. The telegram will be read. The legislative clerk read as follows:

CHICAGO, ILL., May 27, 1934.

Hon. Senator SIMEON D. FESS,

United States Senate Chamber, Washington, D.C.

MY DEAR SENATOR: The A.A.A. compel the cotton grower to plow up his cotton. Then they destroyed 6,000,000 pigs. They make the wheat farmer plow up his wheat, cut his acreage, and paid him for so doing. Then this A.A.A. combination turn around and send relief to the districts where they cause less crops to be sown, and the taxpayers again pay both ways. Willful waste always makes woeful want; that is God's law, not Secretary Wallace. The A.A.A. sowed the wind; now they will reap the whirlwind due to one of the worst spring and summer droughts this country has ever experienced. Consistency, thou art a jewel; pay to destroy crops, then pay for relief of those destroyed. Keep up your good fight against such bureaus; it is the alphabetical soup that is ruining this great Commonwealth.

H. T. JOHNSON, 7610 Colfax Avenue.

RECIPROCAL-TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. McNARY obtained the floor.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. McNARY. I yield.

Mr. HARRISON. Would the Senator from Oregon agree to having the Senate committee amendments taken up at this time?

Mr. McNARY. No; Mr. President, I could not do that.

Mr. HARRISON. If the Senator prefers not to do so I shall not insist.

Mr. McNARY. I could not do that, because the understanding was that we were to start in on the limitation of debate tomorrow. So I could not agree to the request of the Senator from Mississippi.

Mr. HARRISON. Very well; I shall not insist upon it. I ask at this time if the Senator will agree that when we proceed to the consideration of the bill the Senate committee amendments may be first considered.

Mr. McNARY. I have no objection to that, Mr. President.

Mr. ROBINSON of Arkansas. Mr. President, I suggest the absence of a quorum, and ask for a roll call.

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Cutting	Keyes	Robinson, Ark.
Ashurst	Davis	King	Robinson, Ind.
Austin	Dickinson	La Follette	Russell
Bachman	Dieterich	Lewis	Schall
Bankhead	Dill	Logan	Sheppard
Barkley	Duffy	Loneragan	Shipstead
Black	Erickson	Long	Smith
Bone	Fess	McCarran	Steiwer
Borah	Fletcher	McGill	Stephens
Brown	Frazier	McKellar	Thomas, Okla.
Bulkley	George	McNary	Thomas, Utah
Bulow	Glass	Metcalf	Thompson
Byrd	Goldsborough	Murphy	Townsend
Byrnes	Gore	Neely	Tydings
Capper	Hale	Norbeck	Vandenberg
Caraway	Harrison	Norris	Van Nuys
Carey	Hastings	Nye	Wagner
Clark	Hatch	O'Mahoney	Walcott
Connally	Hatfield	Overton	Walsh
Coolidge	Hayden	Patterson	White
Copeland	Hebert	Pittman	
Costigan	Johnson	Pope	
Couzens	Kean	Reynolds	

The PRESIDING OFFICER. Eighty-nine Senators having answered to their names, a quorum is present.

MESSAGE FROM THE PRESIDENT—TREATY OF RELATIONS WITH CUBA (EXECUTIVE Q)

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

Mr. PITTMAN. Mr. President, I ask that the President's message be read.

Mr. ROBINSON of Arkansas. Mr. President, I ask that the injunction of secrecy be removed as to the message and accompanying papers.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair lays before the Senate a message from the President of the United States, which will be read.

The message from the President of the United States was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed, as follows:

To the Senate of the United States:

To the end that I may receive the advice and consent of the Senate to its ratification, I transmit herewith a treaty of relations between the United States of America and the Republic of Cuba, signed at Washington on May 29, 1934.

This treaty would supersede the treaty of relations between the United States and Cuba signed at Habana on May 22, 1903.

I have publicly declared "that the definite policy of the United States from now on is one opposed to armed intervention." In this new treaty with Cuba the contractual right to intervene in Cuba which had been granted to the United States in the earlier treaty of 1903 is abolished and those further rights, likewise granted to the United States in the same instrument, involving participation in the determination of such domestic policies of the Republic of Cuba as those relating to finance and to sanitation, are omitted therefrom. By the consummation of this treaty this Government will make it clear that it not only opposes the policy of armed intervention but that it renounces those rights of intervention and interference in Cuba which have been bestowed upon it by treaty.

Our relations with Cuba have been and must always be especially close. They are based not only upon geographical proximity but likewise upon the fact that American blood was shed as well as Cuban blood to gain the liberty of the Cuban people and to establish the Republic of Cuba as an independent power in the family of nations. I believe that this treaty will further maintain those good relations upon the enduring foundation of sovereign equality and friendship between our two people, and I consequently recommend to the Senate its ratification.

FRANKLIN D. ROOSEVELT.

Accompaniments:

Treaty as above;

Report of the Secretary of State.

THE WHITE HOUSE, May 29, 1934.

The accompanying treaty was made public, as follows:

The PRESIDENT:

The undersigned, Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a treaty of relations between the United States of America and the Republic of Cuba, which was signed at Washington on May 29, 1934.

This treaty would supersede the treaty of relations with Cuba signed at Habana on May 22, 1903.

Article II of the treaty reiterates the provisions of article IV of the treaty of 1903, which provides that all the acts effected in Cuba by the United States during its military occupation of the island up to May 20, 1902, the date upon which the Republic of Cuba was established, have been ratified and held as valid, and that all the rights legally acquired by virtue of these acts shall be maintained and protected.

Under article III the United States retains its present rights with regard to its lease of the lands occupied at Guantanamo for a naval station, and it is provided that these rights shall continue so long as the United States does not abandon the said naval station and so long as the two Governments do not agree to any modifications thereof.

Article IV permits either of the two contracting parties to exercise, at its discretion, without its act being considered unfriendly, the right to suspend communications between those of its ports that it may designate and all or part of the territory of the other party, whenever in its own judgment a situation should arise which appears to presage an outbreak of contagious disease in the territory of the other contracting party.

Respectfully submitted.

CORDELL HULL.

Accompaniment: Treaty as above.

DEPARTMENT OF STATE, Washington, May 29, 1934.

The United States of America and the Republic of Cuba, being animated by the desire to fortify the relations of friendship between the two countries and to modify, with this purpose, the relations established between them by the Treaty of Relations signed at Habana, May 22, 1903, have appointed, with this intention, as their Plenipotentiaries:

The President of the United States of America; Mr. Cordell Hull, Secretary of State of the United States of America, and Mr. Sumner Welles, Assistant Secretary of State of the United States of America; and

The Provisional President of the Republic of Cuba, Señor Dr. Manuel Márquez Sterling, Ambassador Extraordinary and Plenipotentiary of the Republic of Cuba to the United States of America;

Who, after having communicated to each other their full powers which were found to be in good and due form, have agreed upon the following articles:

ARTICLE I

The Treaty of Relations which was concluded between the two contracting parties on May 22, 1903, shall cease to be in force, and is abrogated, from the date on which the present Treaty goes into effect.

ARTICLE II

All the acts effected in Cuba by the United States of America during its military occupation of the island, up to May 20, 1902, the date on which the Republic of Cuba was established, have been ratified and held as valid; and all the rights legally acquired by virtue of those acts shall be maintained and protected.

ARTICLE III

Until the two contracting parties agree to the modification or abrogation of the stipulations of the agreement in regard to the lease to the United States of America of lands in Cuba for coaling and naval stations signed by the President of the Republic of Cuba on February 16, 1903, and by the President of the United States of America on the 23d

day of the same month and year, the stipulations of that agreement with regard to the naval station of Guantánamo shall continue in effect. The supplementary agreement in regard to naval or coaling stations signed between the two Governments on July 2, 1903, also shall continue in effect in the same form and on the same conditions with respect to the naval station at Guantánamo. So long as the United States of America shall not abandon the said naval station of Guantánamo or the two Governments shall not agree to a modification of its present limits, the station shall continue to have the territorial area that it now has, with the limits that it has on the date of the signature of the present Treaty.

ARTICLE IV

If at any time in the future a situation should arise that appears to point to an outbreak of contagious disease in the territory of either of the contracting parties, either of the two Governments shall, for its own protection, and without its act being considered unfriendly, exercise freely and at its discretion the right to suspend communications between those of its ports that it may designate and all or part of the territory of the other party, and for the period that it may consider to be advisable.

ARTICLE V

The present Treaty shall be ratified by the contracting parties in accordance with their respective constitutional methods; and shall go into effect on the date of the exchange of their ratifications, which shall take place in the city of Washington as soon as possible.

IN FAITH WHEREOF, the respective Plenipotentiaries have signed the present Treaty and have affixed their seals hereto.

DONE in duplicate, in the English and Spanish languages, at Washington on the twenty-ninth day of May, one thousand nine hundred and thirty-four.

[SEAL]

[SEAL]

[SEAL]

CORDELL HULL

SUMNER WELLES

M. MÁRQUEZ STERLING

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5834) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

- H.R. 1158. An act for the relief of Annie I. Hissey;
- H.R. 1933. An act for the relief of Philip F. Hambsch;
- H.R. 1943. An act for the relief of A. H. Powell;
- H.R. 1977. An act for the relief of R. A. Hunsinger;
- H.R. 2054. An act for the relief of John S. Cathcart;
- H.R. 2322. An act for the relief of C. K. Morris;
- H.R. 2433. An act for the relief of Anna H. Jones;
- H.R. 2438. An act for the relief of Ruby F. Voiles;
- H.R. 3056. An act for the relief of James B. Conner;
- H.R. 3300. An act for the relief of George B. Beaver;
- H.R. 3302. An act for the relief of John Merrill;
- H.R. 4690. An act for the relief of Eula K. Lee;
- H.R. 5477. An act to fix the rates of postage on certain periodicals exceeding 8 ounces in weight;
- H.R. 6179. An act to amend an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes";
- H.R. 7168. An act for making compensation to the estate of Nellie Lamson;
- H.R. 7289. An act for the relief of H. A. Soderberg;
- H.R. 7343. An act to remove inequities in the law governing eligibility for promotion to the position of Chief Clerk in the Railway Mail Service;

H.R. 8241. An act to authorize the construction and operation of certain bridges across the Monongahela, Allegheny, and Youghiogheny Rivers in the county of Allegheny, Pa.;

H.R. 8494. An act to authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on the Quinault Indian Reservation when it is in the interest of the Indians so to do;

H.R. 8714. An act to extend the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C.;

H.R. 8937. An act granting the consent of Congress to the State of Indiana to construct, maintain, and operate a free highway bridge across the Wabash River, at or near Delphi, Ind.;

H.R. 8938. An act to amend the act of Congress approved June 7, 1924, commonly called the "San Carlos Act", and acts supplementary thereto;

H.R. 8951. An act authorizing the city of Shawneetown, Ill., to construct, maintain, and operate a toll bridge across the Ohio River at or near a point between Washington Avenue and Monroe Street in said city of Shawneetown and a point opposite thereto in the county of Union and State of Kentucky;

H.R. 9000. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Holtwood, Lancaster County;

H.R. 9065. An act granting the consent of Congress to the Department of Public Works of the Commonwealth of Massachusetts to construct, maintain, and operate a free highway bridge across the Connecticut River at Turners Falls, Mass.;

H.R. 9257. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Bainbridge, Lancaster County, and Manchester, York County;

H.R. 9271. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Millersburg, Dauphin County, Pa.; and

H.R. 9502. An act authorizing the State Highway Departments of the States of Minnesota and North Dakota to construct, maintain, and operate certain free highway bridges across the Red River from Moorhead, Minn., to Fargo, N.Dak.

TRANSFER OF ADMINISTRATION OF GOVERNMENT OF PUERTO RICO TO THE INTERIOR DEPARTMENT

The PRESIDING OFFICER laid before the Senate a message from the President of the United States, which was read and ordered to lie on the table, as follows:

To the Congress of the United States:

Pursuant to the provisions of section 16 of the act of March 3, 1933 (ch. 212, 47 Stat. 1517), as amended by title III of the act of March 20, 1933 (ch. 3, 48 Stat. 16), I am transmitting herewith an Executive order establishing the Division of Territories and Island Possessions in the Department of the Interior and transferring thereto the functions of the Bureau of Insular Affairs, War Department, pertaining to the administration of the government of Puerto Rico.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, May 29, 1934.

THE AIR MAIL—CONFERENCE REPORT

Mr. McKELLAR. Mr. President, I ask the Chair to lay before the Senate the conference report on S. 3170 relating to air-mail contracts.

The PRESIDING OFFICER. The Chair lays before the Senate the conference report on Senate bill 3170.

[For conference report see RECORD of Senate proceedings, May 23, p. 9313.]

Mr. COPELAND. Mr. President, if the Senator from Tennessee will look at page 2 of the conference report, subsection (d), third line, I am advised that the language "eastern and western coastal routes" does not appear in

either the House bill or the Senate bill. How does it happen to be in the report?

Mr. McKELLAR. It is perfectly simple. The House struck out all after the enacting clause of the Senate bill when the Senate bill went to the House, and thereupon passed a bill of its own. That put the whole matter in conference, and this was an amendment to the Senate bill.

Mr. COPELAND. I want to be fair about this matter.

Mr. McKELLAR. That is my understanding of it.

Mr. COPELAND. As I understand the Senator, the matter in italics in the report is the language of the bill as it passed the House. I do not understand that.

Mr. O'MAHONEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Wyoming?

Mr. McKELLAR. I yield.

Mr. O'MAHONEY. It is my understanding that neither in the original Senate bill nor in the House bill was there any reference whatever to any north or south primary route.

Mr. COPELAND. That is what I understand.

Mr. McKELLAR. There was not; but the House struck out all after the enacting clause of the Senate bill, which set up an entirely new bill, and thereupon an amendment to the Senate text was made; and under the rules, as I understand, that is perfectly permissible.

Mr. COPELAND. Mr. President, I know that that is exactly as the Senator understands it, but I do not so understand it.

Mr. McKELLAR. Does the Senator deny that the House struck out the entire Senate bill after the enacting clause and inserted a bill of its own? That is what happened.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. O'MAHONEY. In the House bill which was substituted there was no reference to any such primary route, was there?

Mr. McKELLAR. Of course there was not; but there is no reason in the world why an amendment to the Senate text could not be agreed upon in conference. I see the Senator from Missouri [Mr. CLARK], on the floor. He is conversant with the House rules.

In other words, the air mail bill was passed by the Senate and went to the House, and the House struck out all after the enacting clause and substituted its bill for the Senate bill. In conference, an amendment to the Senate text was offered and agreed to, and is a part of the conference report, adding two routes to the primary routes; and, of course, in my judgment, it was entirely in order.

Mr. CLARK. Mr. President, it seems to me perfectly clear that where one body strikes out all after the enacting clause of a bill passed by the other body the whole subject is then in conference, and any amendment germane to either bill may be made.

Mr. McKELLAR. That is my understanding of the rule.

Mr. ROBINSON of Arkansas. Mr. President, I think that is entirely correct, although some question has been raised about it here from time to time.

Mr. CLARK. I do not profess to speak for the Senate practice, but I know what the practice has been in the House of Representatives.

Mr. KING. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield to the Senator from Utah.

Mr. KING. My understanding is—and if I am in error I shall be glad to be corrected—that the House struck out all after the enacting clause of the Senate bill, and inserted a provision providing for the appointment of a commission to study the question and to make a report. There was no definite legislation.

Mr. McKELLAR. Oh, no, Mr. President; the Senator is entirely mistaken. The commission of which the Senator speaks was provided for in both bills, and there was practically no difference between the two.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New York?

Mr. McKELLAR. I yield.

Mr. COPELAND. I feel quite confident that the Senator from Tennessee, usually so accurate, is mistaken.

Mr. McKELLAR. I hope I am not.

Mr. COPELAND. I hope so, too.

Mr. McKELLAR. I cannot say positively. I have been mistaken a great many times in my life.

Mr. COPELAND. Not many times, I regret to say, because the Senator has been in opposition to me at times when I was sorry that he was not wrong; but, Mr. President, I feel that we could not hurriedly agree to this report if I am right in my understanding that this language is not to be found either in the Senate bill or in the House bill.

Mr. McKELLAR. I am quite sure the Senator is correct about that. This particular language is an amendment to the Senate text.

Mr. COPELAND. I ask, then, that the report go over until we can find out about it.

Mr. McKELLAR. I shall be very glad to have it go over. I think the Senator from Ohio [Mr. Fess] wanted it to go over, also.

Mr. FESS. I have not seen the report.

Mr. McKELLAR. I shall be very glad to have it go over until tomorrow morning.

The PRESIDING OFFICER. The report will go over until tomorrow.

ADDITIONAL JUSTICE OF THE COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

Mr. ROBINSON of Arkansas. Mr. President, I understand that the Senator from Vermont [Mr. Austin] has a matter that he wishes to bring before the Senate in the form of a motion to reconsider a bill that was passed yesterday while the calendar was under call.

Mr. AUSTIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of a motion to reconsider which is to be found on page 38 of the calendar. It is to reconsider the vote by which was passed Senate bill 1777, providing for an additional justice of the Court of Appeals of the District of Columbia.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Vermont? The Chair hears none.

Mr. AUSTIN. Now, Mr. President, I move that the votes by which the bill was ordered to be engrossed for a third reading, and passed, be reconsidered.

The PRESIDING OFFICER. The question is on the motion of the Senator from Vermont.

The motion was agreed to.

Mr. AUSTIN. I now ask that the bill be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the bill will be indefinitely postponed.

SYMPOSIUM ON THE MEANING OF MONEY

Mr. COPELAND. Mr. President, I hold in my hand a symposium on the meaning of money, written by world authorities, compiled and reviewed by the Consumers' Guild of America.

This valuable document is presented to the Congress of the United States by the Consumers' Guild, and in it will be found the answers to questions which are troublesome to us. I suggest that it be referred to the Committee on Banking and Currency, with the thanks of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE LATE BRAND WHITLOCK

Mr. FESS. Mr. President, a great number of editorials have been printed in honor of the late Brand Whitlock, ex-Ambassador to Belgium. One of the finest appeared in the Washington Evening Star. I ask the Senate to listen to the reading of this editorial, as it is one of the most beautiful I have seen in print.

I send the editorial to the desk and ask that it be read.

The PRESIDING OFFICER. Without objection, the editorial will be read.

The legislative clerk read as follows:

BRAND WHITLOCK

It is difficult to part with Brand Whitlock. He was one of the men who are good to know. His gifts of personal charm and courtesy transcended his talents in literature and were the foundation of his success in diplomacy. Gentle manners were the natural expression of his knightly and generous spirit, and they endeared him to all with whom he came into contact—humble people loved him and great people were frankly proud of his acquaintance.

When Americans think of Belgium in the maelstrom of the World War they will remember his name with those of Albert and Mercier. The King, the cardinal, and he constituted a trio whose function, providentially, it was to reassert humane ideals in the face of a heathen doctrine of selfish expediency. The white light of fame beat upon them the while they challenged rampant Nietzscheanism, and their celebrity was promoted rather than impaired by the moderation of their methods, the chivalrous modesty of their conduct of themselves through the ordeal. They did their duty with a grace and wore their laurels unpretendingly. And now, 20 years after the debacle, they are reunited in the rest which men who have bravely toiled for peace are believed to merit as a fit reward.

The development of Mr. Whitlock's career differed but slightly from that of many another eminent American. He came of what may be described as average stock and received the ordinary type of education. His most effective and useful training he acquired in journalism. When he was appointed to represent the United States at Brussels he had an honorable reputation as a reform politician—he had been mayor of Toledo for four terms and had been active in the liberal wing of the Democratic Party in Ohio. President Wilson named him to Belgium because it was understood that he would appreciate a quiet post which would afford him leisure for writing. Fate laughed at the notion of such a sinecure and dealt him, instead, the cards of conflict and turmoil. But he was equal to his destiny, rose uncomplainingly to meet its demands, and emerged from the cataclysm a world figure—not made by the war, but simply disclosed by it.

His place in the chronicle of the age is secure. When future generations read the annals of Armageddon they will salute his memory with respect and gratitude—if only for the dramatic story of that one feverish night when he appealed in vain to Prussian officialdom in behalf of Edith Cavell.

EXECUTIVE SESSION

Mr. ROBINSON of Arkansas. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. McGill in the chair) laid before the Senate a message from the President of the United States submitting nominations of sundry postmasters, which was referred to the Committee on Post Offices and Post Roads.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. The reports will be placed on the calendar. If there be no further reports of committees, the calendar is in order.

THE JUDICIARY

The legislative clerk read the nomination of Augustine V. Long to be United States judge for the northern district of Florida.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Leo J. Hickey to be United States attorney for the eastern district of New York.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection the nominations of postmasters are confirmed en bloc.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations for promotions in the Navy.

Mr. ROBINSON of Arkansas. Mr. President, on the calendar for appointment as ensigns in the Navy are the names of the midshipmen in the Naval Academy at Annapolis who are expected to receive their diplomas tomorrow or the next day. I ask unanimous consent that these nominations be confirmed en bloc, and that the President be notified.

Mr. CLARK. Mr. President, does the list include the nomination of the young man who has been getting his education from the Government for 4 years and resigned before his graduation, the resignation to take effect immediately after graduation?

Mr. ROBINSON of Arkansas. I know nothing about the case to which the Senator from Missouri refers.

Mr. CLARK. I have not had an opportunity to examine the list.

Mr. ROBINSON of Arkansas. I understand the list does not include that name.

Mr. CLARK. I do not wish to object, except that I should like to enter an observation against that as a very bad practice.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc, and the President will be immediately notified.

IN THE MARINE CORPS

The legislative clerk read sundry nominations for promotions in the Marine Corps.

Mr. ROBINSON of Arkansas. I make the same request as to the nominations in the Marine Corps.

The PRESIDING OFFICER. Without objection, the Marine Corps nominations are confirmed en bloc, and the President will be immediately notified.

RECESS

Mr. ROBINSON of Arkansas. As in legislative session, I move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and the Senate (at 5 o'clock and 25 minutes p.m.) took a recess until tomorrow, May 30, 1934, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 29 (legislative day of May 28), 1934

POSTMASTERS

ALABAMA

Charles W. Sarver to be postmaster at Athens, Ala., in place of C. M. Hillis, transferred.

Robert B. Vail to be postmaster at Bay Minette, Ala., in place of H. L. Jones. Incumbent's commission expired March 22, 1934.

Elias B. Reid to be postmaster at Cherokee, Ala., in place of H. S. Hill, resigned.

Evelyn Jones to be postmaster at Mentone, Ala., in place of S. M. Shigley. Incumbent's commission expired December 18, 1933.

Lawrence F. Howell to be postmaster at Moulton, Ala., in place of Lucy Downing, removed.

Olis O. Goode to be postmaster at Rogersville, Ala., in place of Luke Bates, removed.

ARKANSAS

Otis H. Parham to be postmaster at Bald Knob, Ark., in place of E. R. Wynn, removed.

Joseph T. Whillock to be postmaster at Clinton, Ark., in place of J. S. Burnett, resigned.

Ray Jones to be postmaster at Dardanelle, Ark., in place of S. B. Harkey. Incumbent's commission expired February 14, 1934.

Simpson A. Kemp to be postmaster at Hot Springs National Park, Ark., in place of J. R. Denby, transferred.

Ida T. Mayo to be postmaster at McCrory, Ark., in place of E. L. Hamilton. Incumbent's commission expired March 22, 1934.

James W. Burton to be postmaster at Marvell, Ark., in place of J. H. Bass. Incumbent's commission expired April 28, 1934.

Guy Stephenson to be postmaster at Monticello, Ark., in place of O. W. McClintock. Incumbent's commission expired April 16, 1934.

Jennings Bryan Lancaster to be postmaster at Mountain View, Ark., in place of J. W. Webb, resigned.

Lola B. Gregory to be postmaster at Portland, Ark., in place of W. E. Edmiston. Incumbent's commission expired April 3, 1934.

Maude Simpkins to be postmaster at Shirley, Ark., in place of O. L. West, resigned.

CALIFORNIA

Harold E. Rogers to be postmaster at Chowchilla, Calif., in place of J. A. Perry, Jr. Incumbent's commission expired December 18, 1933.

Leonard E. Whitener to be postmaster at Coalinga, Calif., in place of L. E. Whitener. Incumbent's commission expired April 2, 1934.

Everard M. Hiatt to be postmaster at El Cerrito, Calif., in place of L. W. McNeil. Incumbent's commission expired December 18, 1933.

Lena M. Preston to be postmaster at Harbor City, Calif., in place of G. E. Preston, deceased.

Wood I. Glasgow to be postmaster at Le Grand, Calif., in place of D. I. Castile, removed.

Paul W. McGrorty to be postmaster at McCloud, Calif., in place of R. A. Rigor, removed.

Merle H. Wiswell to be postmaster at Roseville, Calif., in place of W. R. Stephens. Incumbent's commission expired February 10, 1934.

Richard T. Ambrose to be postmaster at Santa Barbara, Calif., in place of J. B. Rickard, resigned.

COLORADO

Glenn G. Ellington to be postmaster at Delta, Colo., in place of C. A. Smith. Incumbent's commission expired March 8, 1934.

Lewis Hollenbeck to be postmaster at Salida, Colo., in place of S. A. Mohler. Incumbent's commission expired April 3, 1934.

CONNECTICUT

Thomas E. McCloskey to be postmaster at Danbury, Conn., in place of E. H. Bailey. Incumbent's commission expired January 9, 1934.

Martin M. J. Murray to be postmaster at Falls Village, Conn., in place of M. G. Marcy. Incumbent's commission expired December 16, 1933.

Harry W. Potter to be postmaster at Glastonbury, Conn., in place of W. E. Gates. Incumbent's commission expired January 28, 1934.

Willis Hodge to be postmaster at South Glastonbury, Conn., in place of Willis Hodge. Incumbent's commission expired December 16, 1933.

Clarence Davenport to be postmaster at Washington, Conn., in place of R. J. Benham. Incumbent's commission expired December 16, 1933.

FLORIDA

John W. Barrs to be postmaster at South Miami, Fla., in place of J. E. Parrish. Incumbent's commission expired November 20, 1933.

GEORGIA

Rem B. Edwards to be postmaster at Crawfordville, Ga., in place of W. R. Chapman, removed.

Elizabeth S. Maxwell to be postmaster at Lexington, Ga., in place of K. C. Knox, resigned.

William H. Wood, Jr., to be postmaster at Loganville, Ga., in place of W. G. Smith. Incumbent's commission expired June 19, 1933.

George H. Busha to be postmaster at Toccoa, Ga., in place of P. J. Ridgway, resigned.

HAWAII

Rose De Fries Austin to be postmaster at Aiea, Hawaii, in place of E. K. Ayau, removed.

IDAHO

Angus G. David to be postmaster at Bovill, Idaho, in place of G. O. Coy. Incumbent's commission expired December 18, 1932.

ILLINOIS

George A. Porter to be postmaster at Alexis, Ill., in place of C. H. Loveridge. Incumbent's commission expired January 28, 1934.

Frank Dvorak to be postmaster at Algonquin, Ill., in place of C. W. Franks, removed.

Joseph L. Lambert to be postmaster at Alton, Ill., in place of P. B. Cousley. Incumbent's commission expired January 19, 1933.

Samuel J. Schuman to be postmaster at Astoria, Ill., in place of Frank Gain, removed.

George A. McFarland to be postmaster at Avon, Ill., in place of M. R. Hunter, removed.

Emma Zinschlag to be postmaster at Beckemeyer, Ill., in place of G. H. Beckemeyer. Incumbent's commission expired April 20, 1934.

Vernard D. Snyder to be postmaster at Bethany, Ill., in place of C. M. Crowder. Incumbent's commission expired December 18, 1933.

Ruth M. McElvain to be postmaster at Broughton, Ill., in place of Fred Wilson. Incumbent's commission expired February 6, 1934.

Carl J. Markel to be postmaster at Carpentersville, Ill., in place of G. R. Adams. Incumbent's commission expired May 27, 1933.

Conrad C. Miller to be postmaster at Chadwick, Ill., in place of J. E. Humbert. Incumbent's commission expired January 28, 1934.

Charles J. Schneider to be postmaster at Columbia, Ill., in place of A. G. Arnin, removed.

Lee C. Vinyard to be postmaster at East Alton, Ill., in place of J. D. Nutt. Incumbent's commission expired December 18, 1933.

Charles R. Bowers to be postmaster at Elmwood, Ill., in place of L. O. McKerrow, removed.

Edwin J. Heiligenstein to be postmaster at Freeburg, Ill., in place of W. C. Borger. Incumbent's commission expired December 18, 1933.

Roy R. Pattison to be postmaster at Godfrey, Ill., in place of F. W. Squire, deceased.

C. Mancel Wightman to be postmaster at Grayslake, Ill., in place of M. E. Murrie. Incumbent's commission expired December 18, 1933.

Warthen K. Kimball to be postmaster at Gurnee, Ill., in place of Richard Hook. Incumbent's commission expired September 18, 1933.

Leah Pearl York to be postmaster at Hartford, Ill., in place of W. B. Suppiger. Incumbent's commission expired September 18, 1933.

Raymond J. Kelley to be postmaster at Huntley, Ill., in place of W. M. Amos. Incumbent's commission expired May 17, 1932.

Lyle O. Kistler to be postmaster at Joy, Ill., in place of Charles Jackson. Incumbent's commission expired December 20, 1932.

Mark J. Humphreys to be postmaster at Keithsburg, Ill., in place of S. J. Stanley, removed.

George H. Wales to be postmaster at Lanark, Ill., in place of Mille Flickinger. Incumbent's commission expired November 12, 1933.

Henry J. Hosman to be postmaster at Lyons, Ill., in place of Lela Killips. Incumbent's commission expired January 8, 1934.

John A. Peters to be postmaster at Mason City, Ill., in place of D. C. Lowe, transferred.

John V. Barr to be postmaster at Mazon, Ill., in place of E. B. Gardner. Incumbent's commission expired May 22, 1932.

Benjamin B. Holston to be postmaster at Nashville, Ill., in place of W. E. Tharp, resigned.

Thomas J. Studley to be postmaster at Neponset, Ill., in place of C. S. Russell, resigned.

John L. Mead to be postmaster at New Boston, Ill., in place of H. D. Harris. Incumbent's commission expired December 18, 1933.

George G. Martin to be postmaster at Noble, Ill., in place of H. W. Schilling. Incumbent's commission expired April 16, 1934.

Mansford W. Blackard to be postmaster at Omaha, Ill., in place of Rola Eubanks, resigned.

Harry U. Hartzell to be postmaster at Orangeville, Ill., in place of R. B. Ritzman. Incumbent's commission expired December 18, 1933.

Walter Hill to be postmaster at Pana, Ill., in place of C. F. Gaffner, removed.

Hugh J. Gorman to be postmaster at Peotone, Ill., in place of W. G. Harsh. Incumbent's commission expired May 22, 1932.

Marguerite A. Lamb to be postmaster at Port Byron, Ill., in place of J. M. Yolton. Incumbent's commission expired January 29, 1933.

Ben W. Sharp to be postmaster at Reynolds, Ill., in place of E. G. Mallette. Incumbent's commission expired December 18, 1933.

John H. Ryan to be postmaster at Richmond, Ill., in place of J. C. Wilson, removed.

James Higgins to be postmaster at St. David, Ill., in place of L. D. Lyons, removed.

Marcus M. Wilber to be postmaster at Sorento, Ill., in place of Norredon Cowen. Incumbent's commission expired January 31, 1934.

Hubert W. Darby to be postmaster at Tampico, Ill., in place of Edwin Temple. Incumbent's commission expired January 16, 1934.

George Lyons to be postmaster at Tilden, Ill., in place of Robert Murphy. Incumbent's commission expired February 6, 1934.

James Wheeler Davis to be postmaster at Troy, Ill., in place of E. J. Wise, removed.

Wilfred J. Brennan to be postmaster at West Chicago, Ill., in place of B. H. Marschinke. Incumbent's commission expired May 27, 1933.

Floyd E. Madden to be postmaster at Willow Hill, Ill., in place of Iley Smith. Incumbent's commission expired April 28, 1934.

Zeno G. Stoecklin to be postmaster at Wood River, Ill., in place of Edward Walls. Incumbent's commission expired May 27, 1933.

Ernest F. Picker to be postmaster at Worden, Ill., in place of A. J. Meyer, resigned.

Elmer M. Bickford to be postmaster at Wyand, Ill., in place of G. R. Huffstodt, resigned.

Frances I. Thurman to be postmaster at Yates City, Ill., in place of W. E. West. Incumbent's commission expired April 28, 1934.

INDIANA

Howard T. Brockway to be postmaster at Brookston, Ind., in place of Leo Yount. Incumbent's commission expired January 22, 1934.

Lawrence M. Welsh to be postmaster at Brownstown, Ind., in place of H. A. Vermilya, removed.

J. Clyde Davis to be postmaster at Carmel, Ind., in place of R. W. Carey. Incumbent's commission expired December 13, 1932.

Alpha T. McKnight to be postmaster at Cicero, Ind., in place of S. R. Young, removed.

Herschel V. Brouillette to be postmaster at Clay City, Ind., in place of G. P. Crabtree. Incumbent's commission expired December 13, 1932.

Helen M. Krekler to be postmaster at Clinton, Ind., in place of G. M. Hennis, removed.

Frank Ellett to be postmaster at Coatesville, Ind., in place of W. E. Greenlee, resigned.

Alfred E. Pate to be postmaster at Dillsboro, Ind., in place of C. H. Siekerman, removed.

Orville Martin to be postmaster at Grand View, Ind., in place of H. O. Stuteville. Incumbent's commission expired January 27, 1932.

Orel J. Montgomery to be postmaster at Holton, Ind., in place of W. G. McNeelan, removed.

Carroll W. Cannon to be postmaster at Knox, Ind., in place of H. K. Laramore. Incumbent's commission expired April 2, 1934.

Thomas S. Stephenson to be postmaster at Leavenworth, Ind. Office became Presidential July 1, 1932.

Paul E. Byrum to be postmaster at Milltown, Ind., in place of E. L. Rhodes, resigned.

John H. Smith to be postmaster at Monon, Ind., in place of G. F. Long, resigned.

George H. Clarkson to be postmaster at Morocco, Ind., in place of B. G. Hayworth, removed.

Clarence C. Robertson to be postmaster at Nashville, Ind., in place of I. F. Poling, resigned.

Cora Riley to be postmaster at Oaklandon, Ind., in place of P. F. Walton. Incumbent's commission expired February 1, 1933.

Peter Holzer to be postmaster at Osgood, Ind., in place of C. E. Sparling, resigned.

Alva K. Costin to be postmaster at Paragon, Ind., in place of E. S. Applegate. Incumbent's commission expired February 18, 1933.

Harry W. Gilbert to be postmaster at Remington, Ind., in place of Jacob Ochs, Jr., removed.

Harry E. Patterson to be postmaster at Thorntown, Ind., in place of Fred Youkey. Incumbent's commission expired December 20, 1932.

Iva C. Hardesty to be postmaster at Veedersburg, Ind., in place of R. D. Gookins, removed.

IOWA

Audra Pearson to be postmaster at Ainsworth, Iowa, in place of W. W. Moore. Incumbent's commission expired January 16, 1934.

Clarence N. Hildebrand to be postmaster at Belmond, Iowa, in place of W. R. Ramsay. Incumbent's commission expired January 22, 1934.

Vern Freeman to be postmaster at Clarence, Iowa, in place of L. A. Brink, resigned.

Fannie Hach to be postmaster at Clutier, Iowa, in place of Frank Popper, Jr. Incumbent's commission expired April 28, 1934.

Lemuel S. Hill to be postmaster at Des Moines, Iowa, in place of E. J. Frisk. Incumbent's commission expired January 31, 1934.

Herman J. Schroeder to be postmaster at Fort Madison, Iowa, in place of D. P. Glazier, removed.

Lilly B. Gibbons to be postmaster at Jefferson, Iowa, in place of W. M. Osborn. Incumbent's commission expired April 28, 1934.

Daniel P. O'Connor to be postmaster at Lawler, Iowa, in place of C. A. Peck. Incumbent's commission expired April 22, 1934.

Ray O. Bass to be postmaster at Ogden, Iowa, in place of D. O. Clark. Incumbent's commission expired March 18, 1934.

Joseph P. Quinn to be postmaster at Riverside, Iowa, in place of Iva McCreedy. Incumbent's commission expired January 16, 1934.

David A. McElliott to be postmaster at Ryan, Iowa, in place of W. H. Ward. Incumbent's commission expired December 13, 1932.

KANSAS

Gertrude R. Seitz to be postmaster at Bunkerhill, Kans., in place of D. A. Strobel. Incumbent's commission expired March 8, 1934.

Margaret M. Hanlon to be postmaster at Caney, Kans., in place of V. C. Wallar. Incumbent's commission expired January 30, 1933.

Benjamin F. Hemphill to be postmaster at Clay Center, Kans., in place of F. I. Shoaf, resigned.

Mae S. Hodgson to be postmaster at Downs, Kans., in place of W. B. Underwood, resigned.

Walter S. Davis to be postmaster at Florence, Kans., in place of Shamus O'Brien. Incumbent's commission expired January 28, 1934.

William A. Harris to be postmaster at Le Roy, Kans., in place of F. L. Powers, removed.

William R. Jones to be postmaster at Reading, Kans., in place of Leslie Fitts, resigned.

George F. Riley to be postmaster at Soldier, Kans., in place of B. L. Mickel, removed.

Esta S. Riseley to be postmaster at Stockton, Kans., in place of C. G. McNulty. Incumbent's commission expired January 8, 1933.

George Harman to be postmaster at Valley Falls, Kans., in place of O. F. Falls. Incumbent's commission expired December 19, 1931.

Arthur A. LeBeau to be postmaster at Zurich, Kans., in place of P. M. Mickey. Incumbent's commission expired December 8, 1932.

KENTUCKY

Ralph E. Vaughn to be postmaster at Greensburg, Ky., in place of E. V. Taylor, resigned.

LOUISIANA

Owen R. Phillips to be postmaster at Glenmora, La., in place of Edna Byrd. Incumbent's commission expired September 30, 1933.

Thomas E. Barham to be postmaster at Oak Ridge, La., in place of T. E. Barham. Incumbent's commission expired May 20, 1934.

MAINE

Charles W. Richardson, Jr., to be postmaster at Castine, Maine, in place of Pearl Danforth. Incumbent's commission expired December 18, 1933.

MARYLAND

Elizabeth H. S. Boss to be postmaster at Laurel, Md., in place of A. E. Williamson. Incumbent's commission expired December 18, 1933.

MASSACHUSETTS

Minnie A. Barden to be postmaster at Agawam, Mass., in place of R. S. Bailey. Incumbent's commission expired April 28, 1934.

Parker E. Wilson to be postmaster at Bryantville, Mass., in place of H. A. Wilson. Incumbent's commission expired December 11, 1933.

Armand L. Bengle to be postmaster at Indian Orchard, Mass., in place of S. F. Brown. Incumbent's commission expired April 22, 1934.

MICHIGAN

Edward L. Kenny to be postmaster at Onkama, Mich., in place of L. A. Quale. Incumbent's commission expired January 28, 1934.

James S. O'Rourke to be postmaster at Richmond, Mich., in place of C. H. Heath, resigned.

MINNESOTA

Elizabeth C. Bahr to be postmaster at Waconia, Minn., in place of E. C. Bahr. Incumbent's commission expired February 12, 1933.

MISSISSIPPI

John T. Miller to be postmaster at Myrtle, Miss., in place of A. D. Dorman. Incumbent's commission expired March 8, 1934.

James F. Howry to be postmaster at Sardis, Miss., in place of H. P. Patton, removed.

Hermine D. Walker to be postmaster at Senatobia, Miss., in place of J. C. Bowen. Incumbent's commission expired March 18, 1934.

MISSOURI

George J. Goeltz to be postmaster at Bismarck, Mo., in place of H. C. Oehler. Incumbent's commission expired December 18, 1933.

Floyd L. Decker to be postmaster at Crocker, Mo., in place of S. Johnston. Incumbent's commission expired April 30, 1934.

Sam B. Shackleford to be postmaster at Ewing, Mo., in place of J. W. McGee, retired.

Lamonte R. Saxbury to be postmaster at Queen City, Mo., in place of J. G. Gresham, resigned.

Lonnie A. B. Leslie to be postmaster at Russellville, Mo., in place of J. H. Hunter. Incumbent's commission expired January 28, 1934.

Vernon V. Goslee to be postmaster at Skidmore, Mo., in place of E. D. French. Incumbent's commission expired March 8, 1934.

NEBRASKA

Ray W. Jones to be postmaster at Ashland, Nebr., in place of A. F. Jarman. Incumbent's commission expired December 20, 1932.

Don Dey Ermand to be postmaster at Dalton, Nebr., in place of H. C. Blome. Incumbent's commission expired January 18, 1933.

Harvey E. Poole to be postmaster at Dunning, Nebr., in place of J. G. Fountain. Incumbent's commission expired December 17, 1932.

Daniel F. Sheehan to be postmaster at Emerson, Nebr., in place of C. L. McEntaffer. Incumbent's commission expired January 11, 1934.

Bryan J. Snyder to be postmaster at Fullerton, Nebr., in place of F. G. Frame. Incumbent's commission expired January 28, 1934.

George H. Looschen to be postmaster at Hooper, Nebr., in place of H. E. Schemmel, removed.

Mary W. Morrow to be postmaster at Merna, Nebr., in place of W. I. Farnham. Incumbent's commission expired December 13, 1932.

Marvin H. Lutt to be postmaster at Niobrara, Nebr., in place of E. R. Hunt. Incumbent's commission expired April 16, 1934.

Matthew T. Liewer to be postmaster at Osmond, Nebr., in place of J. E. Scott. Incumbent's commission expired April 28, 1934.

Martin Sorensen to be postmaster at Plainview, Nebr., in place of Philip Stein, resigned.

Paulus W. Barker to be postmaster at Rising City, Nebr., in place of L. J. Saylor. Incumbent's commission expired December 16, 1933.

Charles O. Kocina to be postmaster at Verdigre, Nebr., in place of Vaclav Randa. Incumbent's commission expired April 28, 1934.

NEW HAMPSHIRE

Arthur P. Varney to be postmaster at Alton, N.H., in place of W. C. Varney, resigned.

Roy T. Hildreth to be postmaster at Bethlehem, N.H., in place of W. W. McGregor. Incumbent's commission expired December 16, 1933.

Stuart W. Heard to be postmaster at Center Sandwich, N.H., in place of W. W. Russell, removed.

Hazel J. Hayes to be postmaster at Rye Beach, N.H., in place of R. E. Berry, removed.

Edna C. Mason to be postmaster at Tamworth, N.H. Office became Presidential July 1, 1932.

NEW JERSEY

Frank Tilton to be postmaster at Avon by the Sea, N.J., in place of W. S. Clayton. Incumbent's commission expired September 30, 1933.

Robert H. McKinney to be postmaster at Barrington, N.J., in place of M. C. D. Ball. Incumbent's commission expired June 19, 1933.

John P. Euler to be postmaster at Belford, N.J., in place of Mae Hanley. Incumbent's commission expired January 26, 1933.

Ethel H. McDonald to be postmaster at Englishtown, N.J., in place of James Hamilton, resigned.

Thomas Whittington to be postmaster at Sea Isle City, N.J., in place of R. W. Rosenbaum, removed.

NEW MEXICO

Perla E. Darbyshire to be postmaster at Anthony, N.Mex., in place of J. P. Milner. Incumbent's commission expired November 20, 1933.

Helen M. Sears to be postmaster at Capitan, N.Mex., in place of G. A. Titsworth. Incumbent's commission expired February 2, 1933.

Dolores I. Lujan to be postmaster at Des Moines, N.Mex., in place of Guy Miner, deceased.

J. Robert McNeil to be postmaster at Dexter, N.Mex., in place of F. E. Knight. Incumbent's commission expired May 29, 1930.

Dominic Rollie to be postmaster at Gallup, N.Mex., in place of P. E. Coon, resigned.

George T. Meyers to be postmaster at Hillsboro, N.Mex. Office became Presidential July 1, 1932.

Eugene Montague to be postmaster at Lordsburg, N.Mex., in place of J. L. Augustine. Incumbent's commission expired December 14, 1932.

Hezekiah Hall to be postmaster at Magdalena, N.Mex., in place of J. A. Houghton, deceased.

Rosalie Branch to be postmaster at Mora, N.Mex., in place of P. N. Sanchez. Incumbent's commission expired February 1, 1934.

Canuto Gonzales to be postmaster at Roy, N.Mex., in place of C. E. Anderson, removed.

Hayden L. Greene to be postmaster at Santa Rita, N.Mex., in place of A. M. Walsh, removed.

NEW YORK

Charles Robert Freece to be postmaster at East Worcester, N.Y., in place of E. J. Skinner. Incumbent's commission expired December 16, 1933.

William F. Driscoll to be postmaster at Kauneonga Lake, N.Y., in place of E. J. Norris. Incumbent's commission expired December 16, 1933.

John P. Young to be postmaster at Liverpool, N.Y., in place of C. F. Brandt. Incumbent's commission expired December 8, 1932.

Joseph E. Chester to be postmaster at Manhasset, N.Y., in place of W. A. Henderson. Incumbent's commission expired December 16, 1933.

Isidore Smith to be postmaster at Mountain Dale, N.Y., in place of G. M. Atwell. Incumbent's commission expired January 28, 1934.

Benjamin J. Kuhn to be postmaster at St. Bonaventure, N.Y., in place of E. W. Seraphin, resigned.

Harold E. Morrell to be postmaster at South New Berlin, N.Y., in place of W. H. Boyce. Incumbent's commission expired December 16, 1933.

James D. Desmond to be postmaster at Waddington, N.Y., in place of J. E. McKee. Incumbent's commission expired December 18, 1933.

Charles H. Widrick to be postmaster at Whitesboro, N.Y., in place of G. T. Anderson, deceased.

NORTH CAROLINA

Wiley G. Hartzog to be postmaster at Boone, N.C., in place of A. W. Smith, resigned.

John R. Hughes to be postmaster at Madison, N.C., in place of J. M. Joyce. Incumbent's commission expired April 16, 1934.

Karl M. Cook to be postmaster at Mount Pleasant, N.C., in place of E. M. Watson, resigned.

NORTH DAKOTA

William E. Ravely to be postmaster at Edgeley, N.Dak., in place of J. D. Greene. Incumbent's commission expired January 29, 1933.

James R. Turner to be postmaster at Fort Yates, N.Dak., in place of G. W. Hokanson, removed.

Margaret E. Wirtzfeld to be postmaster at Martin, N.Dak., in place of C. C. Harr, removed.

Caroline Lipinski to be postmaster at Minto, N.Dak., in place of C. P. Thomson. Incumbent's commission expired January 8, 1934.

Peter M. Schmitz to be postmaster at Ray, N.Dak., in place of H. A. Hart, resigned.

Arthur W. Hendrickson to be postmaster at Walcott, N.Dak., in place of M. T. Hefty. Incumbent's commission expired January 28, 1934.

OHIO

Paul E. Smith to be postmaster at Ansonia, Ohio, in place of N. E. Beam. Incumbent's commission expired March 22, 1934.

John M. Hudson to be postmaster at Bigprairie, Ohio, in place of L. I. Kerr. Incumbent's commission expired April 28, 1934.

Fred Durr to be postmaster at Bradford, Ohio, in place of C. E. Kniesly, removed.

Paul D. Fleming to be postmaster at Cardington, Ohio, in place of J. G. Mills, removed.

Durbin W. Gerber to be postmaster at Dover, Ohio, in place of W. H. Scheu. Incumbent's commission expired March 18, 1934.

Benjamin J. Chambers to be postmaster at Genoa, Ohio, in place of B. A. Bell. Incumbent's commission expired December 7, 1932.

Ethel S. Reames to be postmaster at Lynchburg, Ohio, in place of Peter Weishaupt. Incumbent's commission expired April 15, 1934.

Lora L. Lamborn to be postmaster at Marion, Ohio, in place of French Crow. Incumbent's commission expired February 6, 1934.

OKLAHOMA

William A. Jenkins to be postmaster at Beggs, Okla., in place of C. W. Ramsey, removed.

Phebe B. Bolin to be postmaster at Forgan, Okla., in place of E. C. Moore. Incumbent's commission expired December 14, 1932.

Mike Craig to be postmaster at McCurtain, Okla., in place of J. G. Sprouse, removed.

Grover C. Diedrich to be postmaster at Marshall, Okla., in place of W. A. Kelley. Incumbent's commission expired February 6, 1934.

Frank B. Lucas to be postmaster at Ponca City, Okla., in place of F. T. Kirby, removed.

Tom L. Pike to be postmaster at Weleetka, Okla., in place of J. W. Gregory. Incumbent's commission expired December 16, 1933.

OREGON

Anona Rae Hodgen to be postmaster at Freewater, Oreg., in place of W. D. Hardesty. Incumbent's commission expired May 26, 1932.

PENNSYLVANIA

James A. Patterson to be postmaster at Avella, Pa., in place of W. G. Hall. Incumbent's commission expired February 28, 1933.

J. Daniel Moore to be postmaster at Bridgeville, Pa., in place of O. N. Barclay, removed.

Oliver F. Stolz to be postmaster at Carrolltown, Pa., in place of C. A. Grieff. Incumbent's commission expired December 18, 1932.

Jesse C. Yoders to be postmaster at Clarksville, Pa., in place of D. J. Turner, removed.

Daniel J. Frantz, Jr., to be postmaster at Coal Center, Pa., in place of L. M. Cole. Incumbent's commission expired March 18, 1934.

Herman L. Levy to be postmaster at Daisytown, Pa., in place of H. L. Levy. Incumbent's commission expired April 16, 1934.

Peter T. Dotey to be postmaster at Dingmans Ferry, Pa., in place of Arthur Bensley, removed.

Clair F. Semelsberger to be postmaster at Duke Center, Pa., in place of J. E. Cronk, deceased.

Philip S. McDermott to be postmaster at Duquesne, Pa., in place of W. E. Reed, resigned.

Antonio R. Minio to be postmaster at Edge Hill, Pa., in place of Edward Hoffner. Incumbent's commission expired February 28, 1933.

James Nevant to be postmaster at Farrell, Pa., in place of B. F. Parry. Incumbent's commission expired March 2, 1932.

Clara B. Dunnire to be postmaster at Foxburg, Pa., in place of C. A. Miller. Incumbent's commission expired January 8, 1934.

C. Gaddis Howland to be postmaster at Gaines, Pa., in place of M. M. Smith. Incumbent's commission expired December 18, 1933.

James W. Earley to be postmaster at Gilberton, Pa., in place of P. J. Kessler. Incumbent's commission expired January 29, 1933.

James N. Gardner to be postmaster at Glen Campbell, Pa., in place of Levi Conner. Incumbent's commission expired February 28, 1933.

Charles T. Bonner to be postmaster at Glen Riddle, Pa., in place of H. L. Warnick, deceased.

William L. Nolder to be postmaster at Grampian, Pa., in place of E. M. Chelgren. Incumbent's commission expired March 16, 1932.

Carrie Stephens to be postmaster at Great Bend, Pa., in place of F. L. White. Incumbent's commission expired January 29, 1933.

Wilmer F. Sowers to be postmaster at Green Lane, Pa., in place of J. W. Kuhn. Incumbent's commission expired February 28, 1933.

Paul O. Holtz to be postmaster at Hastings, Pa., in place of H. M. Lord. Incumbent's commission expired February 28, 1933.

Willard K. Allison to be postmaster at Hickory, Pa., in place of R. S. Rankin. Incumbent's commission expired January 8, 1934.

S. Marple Lemmon to be postmaster at Honey Brook, Pa., in place of J. M. Kurtz. Incumbent's commission expired January 12, 1933.

Amy G. Murray to be postmaster at Hop Bottom, Pa., in place of A. F. Stephens. Incumbent's commission expired May 3, 1933.

James O. Bergantz to be postmaster at Huntingdon, Pa., in place of Fred Etnier, retired.

William H. Solomon to be postmaster at Hyndman, Pa., in place of G. S. Albright. Incumbent's commission expired January 5, 1933.

Frank J. Studeny to be postmaster at Johnstown, Pa., in place of Carl Steuer, resigned.

Majorie L. Samson to be postmaster at Lake Ariel, Pa., in place of A. L. Keyes. Incumbent's commission expired January 19, 1933.

Cornelius McCullough to be postmaster at Lansdowne, Pa., in place of J. J. Nichols, retired.

Fred Schneider to be postmaster at Lettsdale, Pa., in place of E. W. Hopkins, removed.

Stephen F. Payer to be postmaster at McAdoo, Pa., in place of Anna Postupack. Incumbent's commission expired January 11, 1933.

Vernon J. McCarty to be postmaster at Marianna, Pa., in place of R. J. Horne. Incumbent's commission expired February 9, 1933.

Helen T. Henrie to be postmaster at Meshoppen, Pa., in place of L. S. Bisky. Incumbent's commission expired January 26, 1933.

Ezra D. Parker to be postmaster at Kifflintown, Pa., in place of Wilberforce Schweyer, deceased.

Joseph C. Clark to be postmaster at Natrona, Pa., in place of G. D. Claassen, removed.

Samuel S. Ulerich to be postmaster at New Florence, Pa., in place of S. S. Ulerich. Incumbent's commission expired January 5, 1933.

Gerald H. Rickerson to be postmaster at North Warren, Pa., in place of L. J. Sturdevant, deceased.

Ralph B. Mushler to be postmaster at Norwood Station, Pa., in place of N. G. Hazell, removed.

James F. Dugan to be postmaster at Osceola Mills, Pa., in place of F. H. McCully, deceased.

Tasker Howard Cairns to be postmaster at Radnor, Pa., in place of O. G. Darlington. Incumbent's commission expired January 8, 1934.

William T. Collihan to be postmaster at St. Clair, Pa., in place of W. W. Thorn, removed.

James D. Creary to be postmaster at Shenandoah, Pa., in place of Michael Wolsky, removed.

W. Fred Williams to be postmaster at Shippensburg, Pa., in place of L. C. Ehler, resigned.

Gordon H. Fish to be postmaster at South Montrose, Pa., in place of G. H. Roberts, removed.

William D. McIntire to be postmaster at Stoneboro, Pa., in place of M. G. Cann. Incumbent's commission expired January 10, 1933.

Ollie W. Aucker to be postmaster at Tionesta, Pa., in place of J. C. Scowdon, removed.

Llewellyn L. Childs to be postmaster at Townville, Pa., in place of E. D. Mallinee. Incumbent's commission expired December 18, 1933.

G. Frank Zerbe to be postmaster at Valley View, Pa., in place of L. W. Keisling, removed.

Michael J. Winters to be postmaster at Villanova, Pa., in place of J. F. Dougherty, removed.

Stafford W. Parker to be postmaster at Wallingford, Pa., in place of J. S. Butterworth. Incumbent's commission expired January 10, 1932.

Earl R. Young to be postmaster at Weatherly, Pa., in place of N. H. Koch. Incumbent's commission expired January 15, 1933.

George D. Arner to be postmaster at Weissport, Pa., in place of B. M. Boyer. Incumbent's commission expired January 15, 1933.

Samuel H. Tschop to be postmaster at Windsor, Pa., in place of C. E. Grim. Incumbent's commission expired January 19, 1933.

Charles E. Fereday to be postmaster at Woodville, Pa., in place of E. K. Bedortha, removed.

Francis G. Ackley to be postmaster at Wyalusing, Pa., in place of C. W. Newman. Incumbent's commission expired January 8, 1934.

Frank A. Crippen to be postmaster at Youngsville, Pa., in place of A. M. Schnell, removed.

SOUTH CAROLINA

Charlton W. Ellis to be postmaster at Estill, S.C., in place of C. M. Norton, removed.

SOUTH DAKOTA

Mattie E. Smith to be postmaster at Burke, S.Dak., in place of K. T. Kallander, resigned.

Charles H. Page to be postmaster at McLaughlin, S.Dak., in place of W. H. Nesbitt. Incumbent's commission expired February 6, 1934.

Naomi Killian to be postmaster at Wasta, S.Dak., in place of G. L. Hamsen, removed.

TENNESSEE

William I. Easley to be postmaster at Bruceton, Tenn., in place of T. M. Boyd. Incumbent's commission expired February 21, 1934.

Thomas G. Hughes to be postmaster at Jackson, Tenn., in place of J. D. Haggard, resigned.

Robert L. Oakes to be postmaster at New Tazewell, Tenn., in place of Garfield Russell, resigned.

Loraine Adkins to be postmaster at Wartburg, Tenn., in place of C. S. Honeycutt. Incumbent's commission expired January 11, 1933.

TEXAS

George W. Kidd to be postmaster at Brownwood, Tex., in place of J. D. Stewart. Incumbent's commission expired June 19, 1933.

Lon M. Peeples to be postmaster at Milano, Tex., in place of Asa McGregor. Incumbent's commission expired March 18, 1934.

VERMONT

Walter H. Beckwith to be postmaster at Chelsea, Vt., in place of G. F. Flint. Incumbent's commission expired April 15, 1934.

Lawrence E. Mason to be postmaster at Newbury, Vt., in place of I. H. Holton. Incumbent's commission expired March 8, 1934.

VIRGINIA

Isaac P. Weston to be postmaster at Jonesville, Va., in place of C. F. Flanary, removed.

Joseph Schmidt to be postmaster at Yorktown, Va., in place of G. W. Hammontree. Incumbent's commission expired April 28, 1934.

WASHINGTON

Alex Huse to be postmaster at Cheney, Wash., in place of Willis Swank. Incumbent's commission expired March 18, 1934.

Nellie E. Merryweather to be postmaster at Concrete, Wash., in place of F. A. McGovern. Incumbent's commission expired February 6, 1934.

Floyd D. Tatman to be postmaster at Kalama, Wash., in place of M. A. Johns. Incumbent's commission expired April 16, 1934.

David N. Judson to be postmaster at Oak Harbor, Wash., in place of D. W. Packard. Incumbent's commission expired January 28, 1934.

Eudocia B. Leech to be postmaster at Steilacoom, Wash., in place of W. I. Leech. Incumbent's commission expired March 18, 1934.

Rufus B. Kager to be postmaster at Sultan, Wash., in place of J. S. Atwood. Incumbent's commission expired January 28, 1934.

Donald S. Farver to be postmaster at Tonasket, Wash., in place of Frank Putnam, resigned.

Connie C. Wall to be postmaster at Winlock, Wash., in place of M. E. Meloy. Incumbent's commission expired April 30, 1934.

WEST VIRGINIA

Elmer O. Bowyer to be postmaster at Dundon, W.Va., in place of E. O. Bowyer. Incumbent's commission expired February 13, 1933.

Alice McCoy to be postmaster at Franklin, W.Va., in place of Wilbur Dolly, removed.

William M. Boardman to be postmaster at Gary, W.Va., in place of J. H. Petty. Incumbent's commission expired April 28, 1934.

Edward J. Rush to be postmaster at Grant Town, W.Va., in place of L. A. Lint, resigned.

George W. Kilmer to be postmaster at Hedgesville, W.Va., in place of R. K. Pearrell. Incumbent's commission expired December 18, 1933.

Clarence C. Francisco to be postmaster at Iaeger, W.Va., in place of Lida Steinke. Incumbent's commission expired December 18, 1933.

Denny B. Browning to be postmaster at Logan, W.Va., in place of P. A. Spurlock, transferred.

Edward E. Williams to be postmaster at Mason Town, W.Va., in place of E. E. Radabaugh. Incumbent's commission expired January 9, 1932.

Okey J. Garrett to be postmaster at Matoaka, W.Va., in place of F. D. Williams, resigned.

George E. Dunaway to be postmaster at Ranson, W.Va., in place of M. I. Baker. Incumbent's commission expired December 18, 1933.

Marmion S. R. Moler to be postmaster at Shepherdstown, W.Va., in place of C. S. Musser, removed.

WISCONSIN

John F. Loschky to be postmaster at Arpin, Wis., in place of H. F. Roehrig, deceased.

Dominic W. Riley to be postmaster at Baldwin, Wis., in place of O. K. Hawley, deceased.

George Heiderer to be postmaster at Butternut, Wis., in place of A. G. D. Besse. Incumbent's commission expired February 25, 1933.

Alfa Ruth Anderson to be postmaster at Colfax, Wis., in place of L. A. Fjelsted. Incumbent's commission expired February 8, 1933.

Anna Loftus to be postmaster at De Soto, Wis., in place of B. S. Wild. Incumbent's commission expired January 21, 1933.

Henry J. Gramling, Jr., to be postmaster at Dousman, Wis., in place of L. G. Waite. Incumbent's commission expired February 25, 1933.

Walter H. Emanuel to be postmaster at Fairchild, Wis., in place of T. D. Smith. Incumbent's commission expired February 28, 1933.

William B. Ackerman to be postmaster at Gays Mills, Wis., in place of H. R. Hays, resigned.

Matthew J. Hart to be postmaster at Glidden, Wis., in place of C. H. Roser. Incumbent's commission expired January 29, 1933.

Reginald L. Barnes to be postmaster at Greenwood, Wis., in place of W. G. Hartson. Incumbent's commission expired January 21, 1933.

Mable N. Duxbury to be postmaster at Hixton, Wis., in place of F. L. Sheldon. Incumbent's commission expired February 14, 1934.

Simon Skroch to be postmaster at Independence, Wis., in place of Simon Skroch. Incumbent's commission expired May 2, 1934.

Irving W. Volkmann to be postmaster at Iron Ridge, Wis., in place of O. E. Hoyt. Incumbent's commission expired January 29, 1933.

Wenzel M. Dvorak to be postmaster at La Crosse, Wis., in place of C. C. Looney, retired.

Casimir Jaron to be postmaster at Lublin, Wis., in place of F. W. Kulwiec. Incumbent's commission expired February 28, 1933.

Henry Stanke to be postmaster at Marathon, Wis., in place of H. L. Menzner. Incumbent's commission expired February 8, 1933.

Clarence G. Lockwood to be postmaster at Markesan, Wis., in place of L. E. Butenhoff. Incumbent's commission expired February 25, 1933.

Oscar M. Rickard to be postmaster at Merrillan, Wis., in place of C. E. Reichenbach, removed.

John K. Wotruba to be postmaster at Milladore, Wis., in place of J. J. Kocian. Incumbent's commission expired February 28, 1933.

Roswell S. Richards to be postmaster at Monticello, Wis., in place of E. J. Blum. Incumbent's commission expired June 8, 1933.

Laurence L. Shove to be postmaster at Onalaska, Wis., in place of J. S. Hammond. Incumbent's commission expired January 21, 1933.

Cleon E. McCarty to be postmaster at Osceola, Wis., in place of H. B. Goodwin. Incumbent's commission expired February 28, 1933.

Dan F. Vicker to be postmaster at Park Falls, Wis., in place of Francis Stone. Incumbent's commission expired June 13, 1933.

Joyce S. Stoveken to be postmaster at Pembine, Wis., in place of J. J. Stoveken. Incumbent's commission expired January 31, 1933.

John W. Johnson to be postmaster at Pepin, Wis., in place of P. L. Miner. Incumbent's commission expired February 28, 1933.

Maurice A. Reeves to be postmaster at Pewaukee, Wis., in place of L. M. Bennett. Incumbent's commission expired February 25, 1933.

John P. Pabst to be postmaster at Pittsville, Wis., in place of A. E. Schmidt. Incumbent's commission expired February 28, 1933.

Edward D. Feeney to be postmaster at Prairie du Chien, Wis., in place of J. H. Frazier. Incumbent's commission expired September 30, 1933.

Patrick H. Laughrin to be postmaster at Prentice, Wis., in place of D. R. Fryklund, deceased.

Victor J. Kozina to be postmaster at St. Francis, Wis., in place of F. N. Lochemes, removed.

Curtis R. Hanson to be postmaster at Scandinavia, Wis., in place of G. S. Peterson. Incumbent's commission expired June 9, 1933.

Herman H. Lins to be postmaster at Spring Green, Wis., in place of G. R. Morgan. Incumbent's commission expired February 25, 1933.

James S. Kennedy to be postmaster at Shell Lake, Wis., in place of R. D. Stouffer. Incumbent's commission expired January 29, 1933.

William S. Wagner to be postmaster at Thorp, Wis., in place of R. H. Tolford, deceased.

Roy D. Fahland to be postmaster at Webster, Wis., in place of A. J. Christianson. Incumbent's commission expired February 28, 1933.

Frank P. McManman to be postmaster at Wisconsin Dells, Wis., in place of S. P. Van Dyke. Incumbent's commission expired February 28, 1933.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 29 (legislative day of May 28), 1934

UNITED STATES JUDGE

Augustine V. Long to be United States judge for the northern district of Florida.

UNITED STATES ATTORNEY

Leo J. Hickey to be United States attorney for the eastern district of New York.

PROMOTIONS IN THE NAVY

To be commanders

Hamilton V. Bryan.

Terry B. Thompson.

To be lieutenant commander

Edward B. Peterson.

To be lieutenants

Richard C. Webb, Jr.

John C. Daniel.

To be paymasters

James E. Brennen

George P. Smallman

Robert R. Thompson

Edward Mixon

Harry G. Kinnard

Golden F. Davis

John H. Gallion

To be ensigns

Neil E. Kingsley

Frank A. Nusom

Walter E. Baranowski

Verne L. Skjonsby

Charles H. Gerlach

Arthur R. Gralla

George C. Wells

Edward J. Fahy

Edward R. Tilburne

James P. Craft, Jr.

Edgar H. Batcheller

James E. Halligan, Jr.

Bernard A. Smith

William A. Brockett

Richard F. Kane

Frank L. Pinney, Jr.

Forrest R. Biard

Spencer M. Adams

Edward G. Bauer

George H. Browne

Robert K. Johnston

Leslie M. Slack

George F. Pittard

Melvin W. Woods

John V. Smith

William R. Smith, 3d

Homer H. Nielson

Reginald Rutherford

Harley K. Nauman

Marvin E. Lundfelt

William F. Cassidy

Paul T. Metcalf

Edwin H. Schantz

James M. Wright

Russell H. Maynard

Lester S. Chambers

William B. Brooks

William W. Walker

Francis J. Novitski

James R. Davis

Robert D. Risser

Grayson Merrill

Claude S. Kirkpatrick

Edwin S. Lee, Jr.

Fred D. Pfotenbauer

William W. Keller

Ernest S. Bathke

Jacob T. Bullen, Jr.

John J. Hyland

Lewis C. Coxe

Lester R. Schulz

Cedric W. Stirling

William M. McCormick

Grafton B. Perkins, Jr.

Brown Taylor

Richard L. Mann

John W. Kearns

Royal R. Ingersoll, 2d

Paul Van Leunen, Jr.

Robert L. Townsend

Eugene C. Rider

Edgar S. Powell, Jr.

William C. G. Church

Charles M. Henderson

Albert L. Becker

Clyde J. Van Arsdall, Jr.

Rollin E. Westholm

James S. Shilson

Howard T. E. Anderson

Robert J. Ostrom

Hugh M. Maples

Arthur C. Smith

Willard J. Bain

Richard C. Latham

John M. Phelps

William I. Robbins

John P. Condon

Donald A. Scherer

William L. Guthrie

Charles R. Stephan

Otto C. Schatz, Jr.

Charles C. Mann

John M. McMahon

Charles B. Paine, Jr.

Ernest E. Christensen

Richard R. Boutelle

Orme C. Robbins

Charles Blenman, Jr.

Robert H. Close

Juan B. Pesante

James R. Compton

Walter T. Griffith

Edward F. Dissette

John W. Howard

David S. Edwards, Jr.

William E. Sweeney

John Metcalf

John R. Bromley

William S. Maddox
John C. Nichols
William C. Murphy
James D. Fulp, Jr.
Earl K. Solenberger
James S. Nutt
Frederic W. Hawes
Robert N. Robertson
Robert C. Houston
Charles W. Fell
Marvin I. Rosenberg
Melvin H. Dry
Reuben T. Whitaker
Arthur L. Newman
Howard E. Day, Jr.
Beverly R. Van Buskirk
George E. T. Parsons
Charles W. Brewer
John A. Horton, Jr.
Harry L. Thompson, Jr.
Keith E. Taylor
Alexander G. Hay
Alfred D. Kilmartin
Robert M. Brinker
Joseph B. Tibbets
Dennison C. Ambrose
John M. Hyde
William H. Lawrence
Carl W. Middleton, Jr.
Lewis Freedman
Robert J. Oliver
George W. Lautrup, Jr.
Duncan P. Dixon, Jr.
Donald G. Irvine
Robert J. Hardy
John B. Morland
Christy C. Butterworth
Thomas C. Edrington, 3d
George S. Bullen
Wilson M. Coleman
Joseph J. Staley, Jr.
Statton R. Ours, Jr.
Richard E. Nichols
Herman H. Kait
William A. Smyth
Arden Packard
Richard D. Shepard
Carl W. Rooney
Joseph E. Stulgis
Harold D. Fuller
Earl K. McLaren
Clarence E. Dickinson, Jr.
Albert L. Gebelin
Edward N. Blakely
Allan G. Schnable
Benjamin C. Fulghum
Ernest V. Bruchez
Eric L. Barr, Jr.
Samuel Bradbard
Paul L. Joachim
Terry L. Watkins
Walter H. Baumberger
Charles H. Clark
Arthur E. Krapf
James E. Smith
Raymond L. Abrahamson
Nels C. Johnson

MARINE CORPS

To be second lieutenants

Clyde R. Nelson
Joseph L. Dickey
Elmore W. Seeds
John P. Condon
John A. Butler
Ralph K. Rottet

Lyle E. Strickler
William C. Hembury
Sidney L. Erwin
John G. Roenigk
John Harllee
Wayne R. Merrill
Cecil K. Harper
Benedict J. Semmes, Jr.
Richard G. Kopff
Warren S. Macleod
Barton E. Day
Harry H. Greer, Jr.
Frederic G. Pegelow
Allyn Cole, Jr.
Francis O. Fletcher, Jr.
William J. Drumtra
Robert A. Paton
Edgar J. Hailey
Lowell S. Price
Robert Donaldson
Richard E. Bly
Ellis B. Rittenhouse
Robert E. Wheeler
Philip H. Torrey, Jr.
James M. Clute
William M. Collins, Jr.
Frank K. Upham
Stanley S. Daunis
Curtis H. Hutchings
William R. Peeler
Arthur C. House, Jr.
Marshall W. White
Thompson C. Guthrie, Jr.
Robert R. Williams, Jr.
Thomas B. Oakley, Jr.
Irving S. Presler
John F. McGillis
Richard H. O'Kane
Charles F. Fischer
George W. Welch
George M. Clifford
James W. Brock
John W. Florence
Charles Antoniak
Edward M. Fagan
Jackson D. Arnold
Arthur L. Benedict, Jr.
Louis Lefelar, Jr.
Bernard A. Clarey
Douglas M. Swift
Francis A. G. Kelly
Paul S. Savidge, Jr.
Kendall Casey
Arthur R. Manning
Henry C. Spicer, Jr.
Ronald Q. Rankin
Henry L. Miller
Willard E. Hastings
Walker Ethridge
Frank M. Whitaker
Francis W. Scanland, Jr.
Forrest M. Price
Francis D. Boyle
John T. Lowe, Jr.
James H. Newell
Martin H. Ray, Jr.

Robert S. Fairweather
Robert E. Hommel
Joseph P. Fuchs
John W. Sapp, Jr.
Harry W. G. Vadnais
Frank C. Tharin
Bennet G. Powers

Samuel F. Zeiler
Lawrence B. Clark
Ernest L. E. Ritson
Colin J. Mackenzie
George B. Nicol
Joe McK. Alexander

POSTMASTERS

ALABAMA

William B. Wilder, Andalusia.
Leroy McEntire, Decatur.
Mim C. Farish, Grove Hill.
Roy J. Ellison, Loxley.
Annie H. Townsend, Tuscaloosa.

ARIZONA

Ross H. Cunningham, Jerome.
Mary W. Hand, Winkelman.

GEORGIA

Lelia W. Maxwell, Danville.
Elbert L. Fagan, Fort Valley.
Herman C. Titshaw, Pitts.
Nettie H. Woolard, Sylvester.
Cecil F. Aultman, Warwick.

IDAHO

Ezekiel Holman, Sugar.
Edwin N. Kearsley, Victor.

ILLINOIS

Peter F. Harder, Atwood.
William E. Leischner, De Land.

KANSAS

Nell C. Graves, Columbus.
Rosa B. Blaine, Copeland.
Arch E. Hosmer, Holton.
Bryan F. Scarborough, Iola.
Edward W. Shiney, McCracken.
Eunice E. Buche, Miltonvale.
Caroline Doerschlag, Ransom.
Henry F. Dodson, South Haven.

KENTUCKY

Richard W. Wilson, Elizabethtown.
Frances W. Lyell, Hickory.
Omer W. Cleek, Walton.

MAINE

Lee M. Rowe, Bryant Pond.
Anna M. McLaughlin, Dryden.
George L. Hawes, East Corinth.
Lillian L. Guptill, Newcastle.
Edward J. McKay, North Jay.
Howard H. Herrick, Rangeley.
Fred T. Eaton, York Harbor.

NEBRASKA

Albin J. Kriz, Brainard.
Harry Boesen, Cairo.
Curtis B. Benger, Callaway.
Roy E. Sheffer, Gering.
Stanley R. Wheeler, Giltner.
Dorothy M. Porter, Haigler.
Mary E. Krisl, Milligan.
Henry C. Cope, Mitchell.
Stanton A. Troutman, Palisade.
Mildred I. Onstot, Riverton.
W. LeRoy Larson, Sidney.
Margarete C. Phelps, Valentine.
Edith C. Hackl, Wynot.

NEVADA

Anne M. Holcomb, Battle Mountain.
Roy T. Williams, Minden.

NEW HAMPSHIRE

George W. Moulton, Lisbon.

NORTH CAROLINA

William R. Young, Badin.
Joseph C. Peed, Creedmoor.
William T. Culpepper, Elizabeth City.
Thomas T. Hollingsworth, Greenville.
John E. Morris, Hertford.
Wightman C. Vick, Norwood.

OHIO

Carl L. Meloy, Garrettsville.
Duward B. Snyder, Grand Rapids.
Helen E. Dunn, Holland.
Perry L. Heintz, Jackson Center.
Charles Fishley, Mineral City.
John H. H. Welsch, Port Washington.
Clara B. Dix, Prospect.
Edward T. Brighton, Sylvania.
Donald K. Studer, Whitehouse.

OKLAHOMA

Delbert H. Rounsaville, Atoka.
Cloyd H. Burton, Commerce.
Erwin D. Keys, Earlsboro.
John L. Beckham, Enid.
Cyril M. Surry, Hartshorne.
Georgie M. Jeffers, Inola.
Gertrude Barker, Kaw.
John A. Park, Krebs.
Pearl Brazell, Lamont.
Buford E. Stone, Manchester.
Walter E. Primm, Meeker.
Dennis F. Almack, Moore.
Guy B. Hilton, St. Louis.
John R. Redwine, Jr., Spiro.
Kib H. Warren, Shawnee.
William B. Wyly, Tahlequah.
Charles A. Knight, Tecumseh.

SOUTH CAROLINA

Allie V. Collum, Jr., Blackville.
Hattie C. Sherard, Calhoun Falls.
Basil T. Brinkley, Ellenton.
Rufus Ford, Jr., Holly Hill.
Edward H. Blackmon, Orangeburg.
Jack C. Pate, Sumter.
Jackson L. Flake, Swansea.

TEXAS

Glad Campbell, Mertzon.

WEST VIRGINIA

Thomas F. Ward, Keyser.
John A. Ball, Mullens.
Henry S. Ellison, Union.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 29, 1934

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D.D., offered the following prayer:

Merciful God, our Heavenly Father, may our faith in Thee be strong and may our hopes lead us to brighter and happier days. Make them vivid, distinct, and free from obscurity and uncertainty. Let them be illuminating, expanding our lives and giving a new meaning to our activities. Be gracious to assure us that all things work together for good for those who put their trust in Thee, who are right in purpose and are unselfish in the things they seek. Heavenly Father, bless the homes of the officers and the Members of the Congress. We entreat Thee to hold us all in Thy hands, in which we may rest without fear. In the dispensation of Thy providence, prepare us for whatever awaits us, and praise and glory be unto Thee forever. In our Savior's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on May 28, 1934, the President approved and signed a bill and joint resolution of the House of the following titles:

H.R. 9530. An act granting the consent of Congress to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate a toll bridge across Puget Sound, State of Washington, at or near a point commonly known as "The Narrows"; and

H.J.Res. 347. Joint resolution to prohibit the sale of arms or munitions of war in the United States under certain conditions.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2414. An act for the relief of Frank Salisbury, executor of the estate of Emerson C. Salisbury; and

H.R. 2418. An act for the relief of certain claimants at Leavenworth, Kans., occasioned through damage to property inflicted by escaping prisoners.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1744. An act enabling certain farmers and fruit growers to receive the benefits of the Federal Farm Loan Act and amendments thereto and the Emergency Farm Mortgage Act of 1933;

S. 1760. An act for the relief of the Snare & Triest Co., now Frederick Snare Corporation;

S. 1786. An act for the relief of Lucile A. Abbey;

S. 1947. An act to provide for the creation of the St. Croix Island National Monument, located near the mouth of the St. Croix River in the State of Maine, and for other purposes;

S. 2242. An act for the relief of the Collier Manufacturing Co., of Barnesville, Ga.;

S. 2272. An act for the relief of Bert Moore;

S. 2617. An act for the relief of the estate of Jennie Walton;

S. 2619. An act for the relief of E. Clarence Ice;

S. 2888. An act to provide for expenses of the Crow Indian Tribal Council and authorized delegates of the tribe;

S. 2889. An act for the relief of certain Indians of the Fort Peck Reservation, Mont.;

S. 2906. An act for the relief of Ransome Cooyate;

S. 2918. An act for the relief of N. Lester Troast;

S. 2980. An act to modify the effect of certain Chippewa Indian treaties on areas in Minnesota;

S. 3096. An act for the relief of John T. Garity;

S. 3286. An act authorizing the exchange of the lands reserved for the Seminole Indians in Florida for other lands;

S. 3307. An act for the relief of W. H. Le Duc;

S. 3366. An act for the relief of C. O. Meyer;

S. 3380. An act providing for the appointment of Richmond Pearson Hobson, formerly a captain in the United States Navy, as a rear admiral in the Navy, and his retirement in that grade;

S. 3486. An act for the relief of George L. Rulison;

S. 3493. An act to revive and reenact the act entitled "An act authorizing H. C. Brenner Realty & Finance Corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near a point between Cherokee and Osage Streets, St. Louis, Mo.," approved February 13, 1931;

S. 3502. An act authorizing the Oregon-Washington Bridge Commission to construct, maintain, and operate a toll bridge across the Columbia River at or near Astoria, Oreg.;

S. 3641. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N.Y.; and